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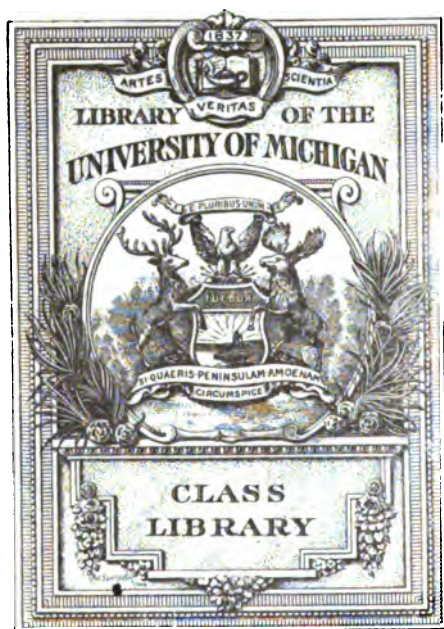
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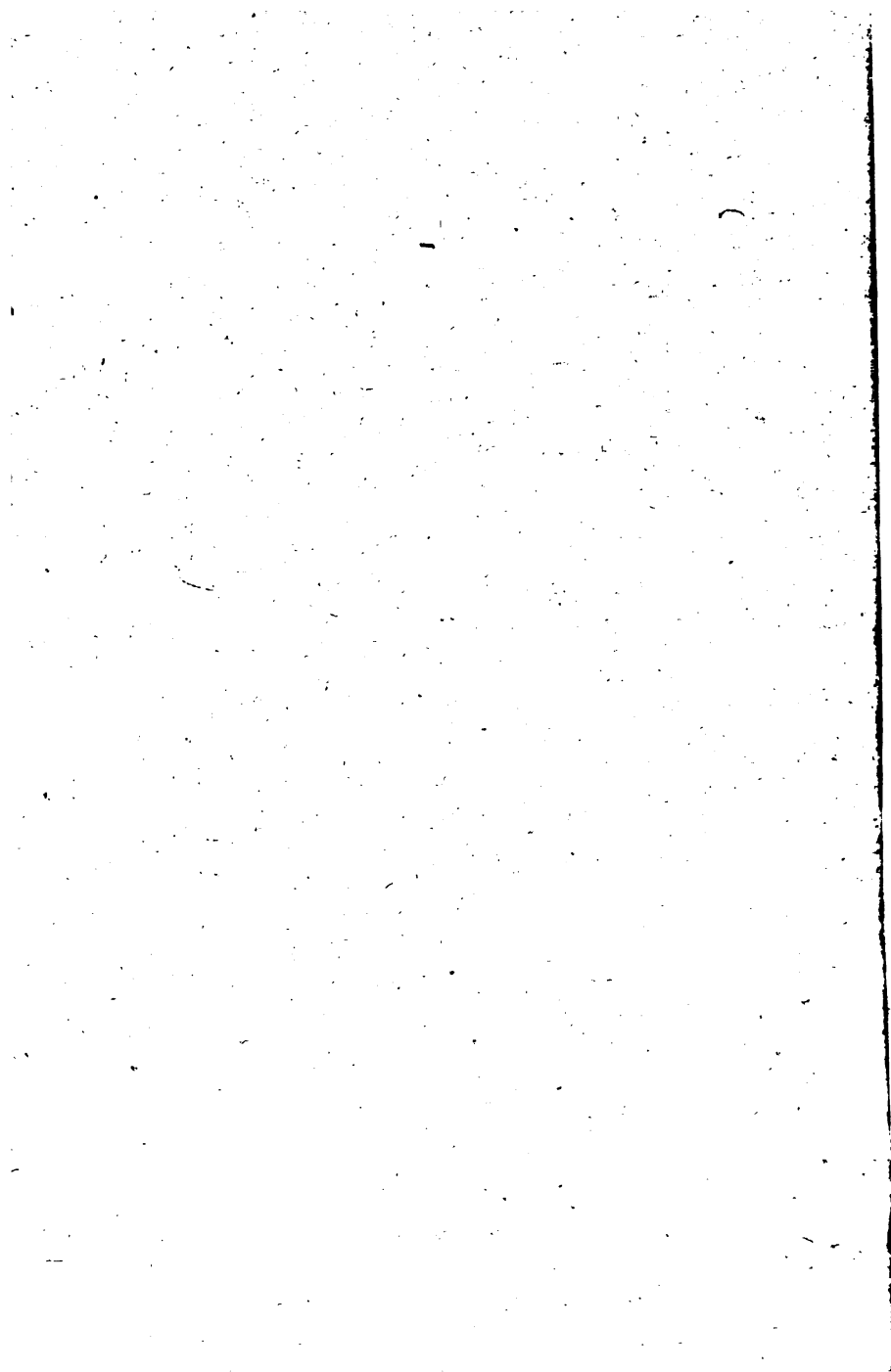


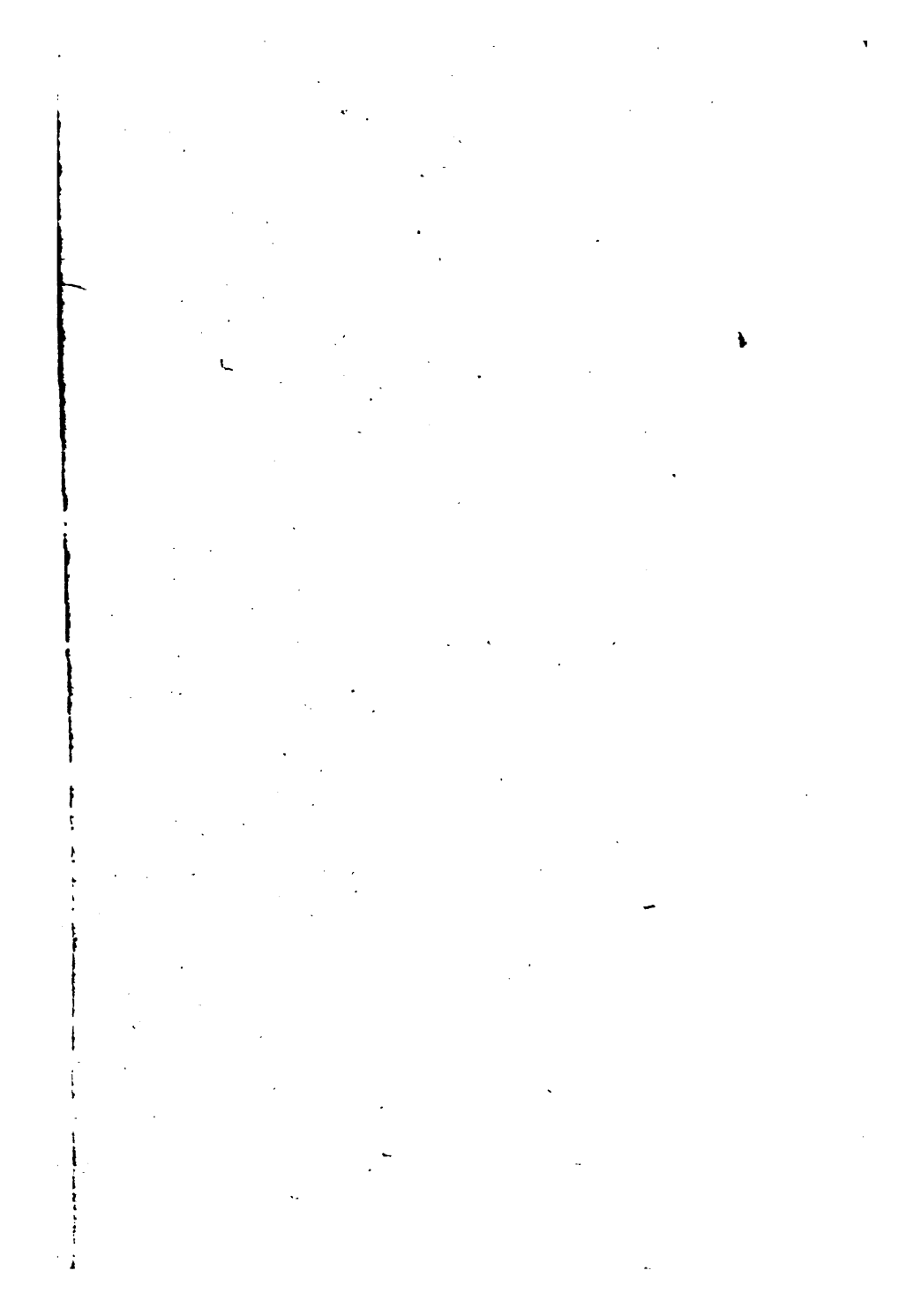
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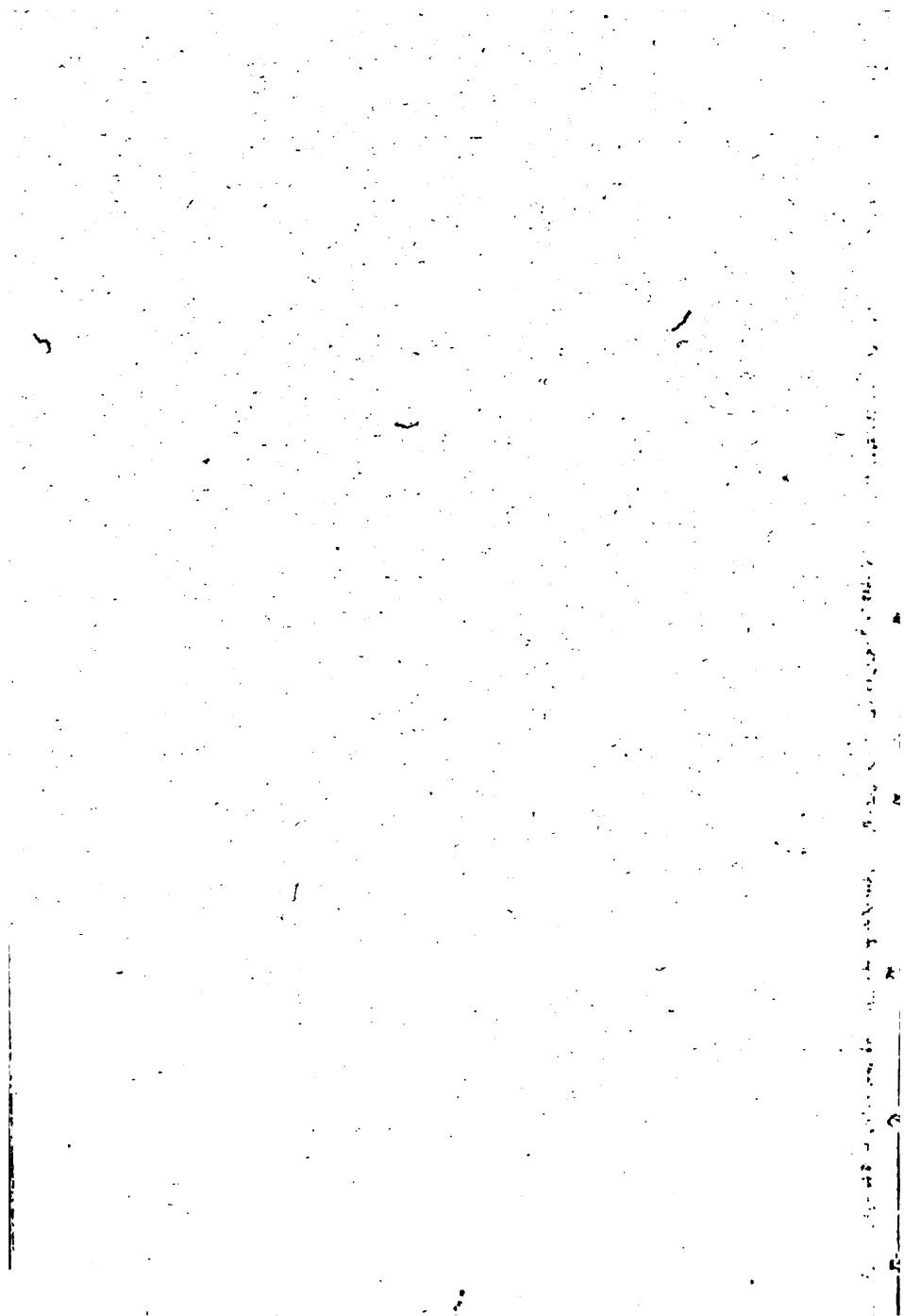
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BRIEF INSTITUTES  
OF  
GENERAL HISTORY

BEING A COMPANION VOLUME TO THE AUTHOR'S 'BRIEF INSTITUTES OF OUR CONSTITUTIONAL HISTORY  
ENGLISH AND AMERICAN'

BY  
E. BENJAMIN ANDREWS D.D. LL.D.  
PRESIDENT OF BROWN UNIVERSITY

*Fifth Edition*

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DEDICATED TO  
FRIEDRICH JODL DR. PHIL.  
Professor in the University of Prag  
By his friend

THE AUTHOR

**Κρεῖττον γάρ που σμικρὸν εὖ ἢ πολὺ μὴ ἱκανῶς περᾶναι.**

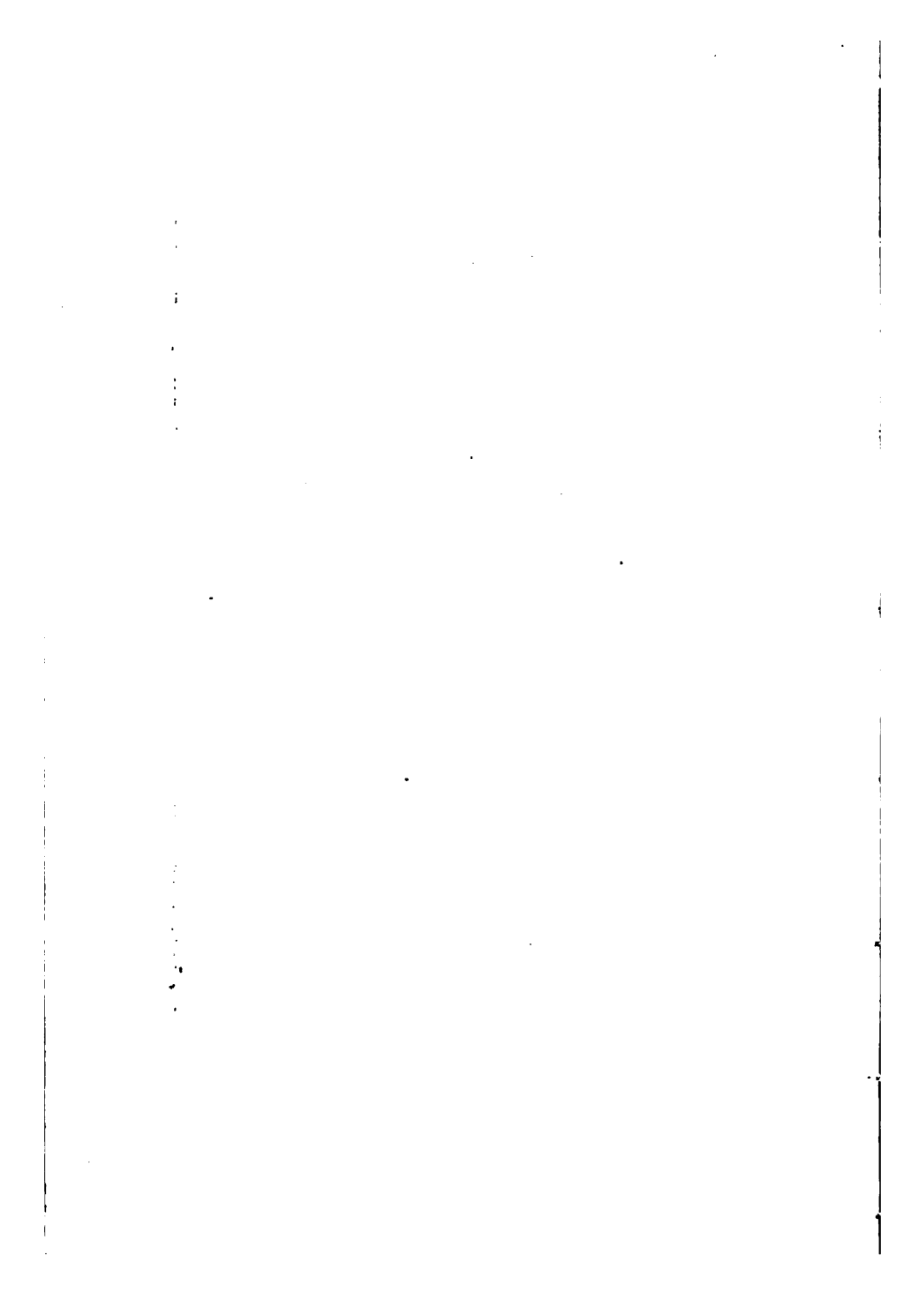
**PLATO, THEAETETUS, c. 31.**

## NOTE TO THE SECOND EDITION



THIS new edition of the Institutes is precisely the same as the first except that in it a number of errors have been corrected. The author cannot sufficiently thank the many learned gentlemen who have used or examined the book, for the favorable manner in which they have mentioned it. He is especially indebted to Dr. Edward G. Bourne, of Yale University, for valuable information, enabling him to make more accurate statements at several important points.

MAY 15, 1888.



## PREFACE

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IN historical as in other instruction nothing can supply the place of the living teacher, but the teacher may have helps, and a prime one of these this book aspires to be. With such an aim it has been made synthetic in method, articulate, progressive, unitary. It forms a precipitate rather than an outline, being to history at large what the spinal cord is to the nervous system or the Gulf Stream to the Atlantic. All unimportant details it ignores, treats the most important in notes, and studiously renders prominent the rationale of historical movement. The work does not offer matter for rote recitation in the old fashion, but blazes through the jungle of the ages a course along which the instructor can guide his class much as he lists. It may serve as a mere volume for reference, as a companion and *résumé* to independent lectures, or as the basis of comments from topic to topic. A special feature of the plan it embodies is the encouragement and facilitation of collateral reading. At the head of every Chapter and of nearly every paragraph are named, among many, a number of Histories which can be consulted in any well appointed library, the paragraph-headings commonly aiding readiest reference by citing chapter, section or page. Students so unfortunate as to be cut off from side-lights of this character will find valuable illumination upon each Chapter in the corresponding portion of Fisher's Outlines. While the eleven Chapters constitute a compact, orderly and rounded whole, less advanced pupils may omit the First, those well versed in classical times the Third. General, though not the finest, unity will be preserved if a beginning be made with the Fourth. Of the later the Seventh can be passed with the least loss. Far better than sheer omission is the discussion of an entire Chapter in one or two exercises, pupils, with this in view, preparing each an abstract of its salient points. As the course can be abridged, so it

can be indefinitely elongated and enriched by devoting hours to essays, abstracts or special studies upon peculiarly weighty by-topics. In connection with many of these ample literature is for this very purpose listed in notes. Although primarily designed for the classroom, the Institutes will, it is hoped, be found also the best sort of a manual for general readers in history. They are preëminently adapted to aid university students engaged in special historical investigation yet wishing fuller grasp upon the main course of human events. The bibliographies are believed to contain most of the available gold. Some less precious metal is indeed added, but, we trust, exceedingly little pinchbeck. Should it at first strike any reader that we have rendered Louis XIV and Frederic the Great insufficiently conspicuous, let him reflect that those monarchs were after all not prominent epoch-makers in the actual causal order of history. English events, except where vitally affecting continental, have been purposely disregarded, because English history logically ought to be, as in America it usually is, taught by itself. In consulting Histories in the preparation of these pages the author has sought those acknowledged to be of the highest ability and trustworthiness. He of course does not pretend to have composed from the sources in the strict sense of that phrase, but he has, so to speak, steadied himself upon these all the way, and has taken special recourse to them in most cases of dissidence in the views of recognized secondary authorities. That he has nowhere interpreted ill, nowhere distorted the true perspective, he dares not hope, but prays critics to remember the bulk of the material which he has had to canvass, and the extraordinary difficulties attending such *maximum in minimo* presentation. He will be grateful for all criticisms, and particularly solicits notification of any out-and-out errors which may be met with.

WILBRAHAM, MASS.,  
August 4, 1887.

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\* denotes special, \*\* preëminent serviceableness. So in all the following bibliographies.

## CHAPTER I

### HISTORY AND THE STUDY OF HISTORY

---

#### § 1 THE WORD HISTORY

*Rocholl, Einleitung.*

THE term history has both an objective and a subjective signification, — events in themselves, and man's apprehension of events. The distinction is important.<sup>1</sup> This application of 'objective' and 'subjective' must not be confused with the other, of correctness and arbitrariness in alleged historical results.

<sup>1</sup> Yet except Rocholl no writer to our knowledge mentions it. It is history in its objective sense which Lotze discusses in *Mikrokosmos*, VII, while history subjective is Bacon's theme in *de augmentis*. Droysen, *Historik*, uses the term in both senses, as indeed is very common, the best writers passing from one to the other apparently without noticing the change.

#### § 2 HISTORY OBJECTIVE

*Arnold, Inaugural Lect. Lotze, Mikrokosmos, VII.*

History spans but a brief portion of the past. To brute existence succeeds human, at first little reflective, determined mostly from without. Thought, inventiveness, migration, bring diversity, which becomes, like self-consciousness, a main trait of our species. It relates to both place and time. Races and peoples result.

Civilization has its centres; these shift unceasingly, now eastward, now westward; and crises occur at which the advance of thousands of years is lost. Ruling ideas change, the form of culture being successively Egyptian, Asiatic, Greek, Roman, Teutonic. Cities, empires, rise, fall. Conquerors sweep through the earth, subdue all, then lose all, and are perhaps themselves forgotten. Meantime no chaos: causality is pervasive, and ages together show progress, however general and slow. Such is history *in se*.<sup>1</sup>

<sup>1</sup> Of course even history objective is history conceived, hence not out of relation to our apprehension. So in any field we can think of the data of a science before, or separate from, the existence of the science.

### § 3 HISTORY SUBJECTIVE

*Arnold*, as at § 2. *Weber, Weltgeschichte*, I, 12. *Rawlinson, Manual. Flint, Philosophy of Hist.*, 583 sqq.

An *a posteriori* and tentative definition of history subjective would make it the orderly knowledge of things in time, as Physics, in the large sense, is the knowledge of things in space. A closer definition, still revealing no inner law, results from the further restriction of history to (1) man, (2) his earthly career, (3) ages and localities marked by some degree of self-consciousness on his part,<sup>1</sup> (4) his life in society,<sup>2</sup> (5) comparatively main events in the thus determined compass, (6) these events in their genetic and causal relations.

<sup>1</sup> Subjective history manifestly cannot antedate objective. This, Schleicher begins with speech. Hegel denies history in the true sense to India and China and makes it commence with Persia, the first empire that *passed away*. Curtius agrees with Hegel as to Egypt. Sismondi says: 'History only arises with civilization. So long as man struggles with physical needs

he concentrates all his attention upon the present. He has no past, no memories, no history.'

<sup>2</sup> Mommsen: 'The doings and dealings, the thoughts and imaginings, of the individual, however strongly they may reflect the characteristics of the national mind, form no part of history.' Cf. Arnold, Inaugural Lecture, where he points out that history arises only when a considerable group of men unite in a common interest. *La psychologie n'envisage que l'individu, et elle l'envisage d'une manière abstraite, absolue, comme un sujet permanent et toujours identique à lui-même; aux yeux de la critique, la conscience se fait dans l'humanité comme dans l'individu; elle a son histoire. Le grand progrès de la critique a été de substituer la catégorie du devenir à la catégorie de l'être, la conception du relatif à la conception de l'absolu, le mouvement à l'immobilité. Renan, Averroes et l'averroïsme.*

#### § 4 CIVILIZATION

Goldwin Smith, *Study of Hist.* Flint, Introduction. Lecky, *Hist. of European Morals*, I. Fiske, *Destiny of Man*, chaps. xi, xii, xiii. Guizot, *Civilization in Europe*, Lect. I.

A conception auxiliary to that of history, derived from certain of the above elements, is civilization.<sup>1</sup> A nation is regarded civilized in proportion as therein, at once and harmoniously, (1) morality is widespread and rational, (2) the same is true of religion, (3) intelligence prevails, both intensive and extensive, (4) social organization is complete, (5) the means of wealth are abundant and well distributed, (6) government asserts itself to the point of highest helpfulness to general, without hindering individual, development, (7) art is cultivated, refinement and taste general, (8) in all these respects society occupies an attitude of progress.<sup>2</sup>

<sup>1</sup> Honegger, *Kulturgeschichte*, I, § 1, complains with cause of the little which has been accomplished toward a definition of civilization (*Kultur*). Guizot reduces it to progressive melioration in the condition of both society and the individual. W. von Humboldt, *Ueber die Kawi-sprache*, etc., I, distinguishes civilization as relatively external, from *Kultur*

and *Bildung*, more internal, almost as if that could be perfect without these. Seebohm, *Reformation*, 5, makes it a political conception: 'the art of living together in civil society.' Cf. § 15, n. 1.

<sup>2</sup> On the idea of progress, and the various forms it has assumed in contemporary science, Caro, in *Revue des deux Mondes*, 15 Oct., 1873. Cf. § 17, n. 3.

## § 5 HISTORICAL METHOD

*Froude*, *Short Studies*, II ser., at end. *Freeman*, *Methods*. *Droysen*, *Historik*. *Rhombert*, *Erhebung*.

Logically first among the many important problems which inhere in the conceptions presented by the above paragraphs, is the question how and how far subjective history can be brought into agreement with objective, in other words, how far the knowable of man's past can become known. To answer this question is the task of historical method, a science by itself.<sup>1</sup> Historical, like all work, to be most successful, must proceed in an orderly way. The mind applies its categories to any matter of knowledge only gradually. History in the most objective sense is not at once data for a science of history, supposing such a science possible; and the data for such a science would fall far short of being the completed science. The science of historical method discusses method for the data and the investigation of history, and for the presentation of historical results.<sup>2</sup>

<sup>1</sup> Even those who deny that there can be a science of history admit the existence of a science of historical investigation. Notice, esp., Froude, as above.

<sup>2</sup> Note the logical order of our matter. Having defined as it were from the outside both history and civilization, we pass to examine the science of method, that science by which alone historical truth can be ascertained. Upon learning what this is able to accomplish, we are in condition to test the questions concerning history itself as basis for science and philosophy.

## § 6 METHOD FOR THE DATA

*Droysen, Historik, §§ 45 sqq.*

The aim of this is so to lay out the fields, classes, etc., of data to be examined, and to present such modes of treating them, as shall insure their most facile and perfect investigation. Method here can, of course, be more or less exhaustive. Thorough method would subject the data to both static and dynamic analysis. By the static, the categories of space and time would first be applied. Then, within any given compass thus defined, the complex of historical material could be so dissected as to exhibit men's acts and, to some extent, their aims and impulses, also such social institutions as church, state, property, money, and the like, as relatively isolated phenomena. By the dynamic, causal connections would be brought to view, the movement of history described, events traced to their proximate, and as far as possible, to their ultimate, causes, and the entire life of man on earth reduced to a certain unity.<sup>1</sup>

<sup>1</sup> The purpose of this paragraph is to suggest the sort of plan which the successful historical investigator must have in mind *before he begins his work*. Droysen has nearly the same purpose in speaking of: i *materials*, a) pieces of nature stamped with man's impress, as inventions, also brutes domesticated and trained, b) man's own development into nations and races, c) social formations, d) political do.; ii *forms*, a) natural partnerships, as family, neighborhood, tribe, b) ideal do., as speech, the arts, sciences, religions, c) practical do., as government, justice, property; iii *agents*, which are human beings, i.e., subjects of will; iv *ends*, teleological view of history: all ends converging to one, and this undiscoverable by investigation.

## § 7 FOR INVESTIGATION

*Freeman*, Methods. *Droysen*, §§ 19 sqq. *Lenormant*, *praef. to Histoire ancienne de l'Orient*. *Stubbs*, *Medieval and Mod. Hist.*, i-v inc.

Historical investigation embraces three processes :  
 1 *Discovery*, which, through questioning, comparison, combination and hypothesis, brings to light sources,<sup>1</sup> viz. : (a) remains, (b) sources in the narrower sense, (c) monuments. 2 *Criticism*, whose problem is to determine the real relation borne by these pieces of the past to the original life-scene, inquires into their (a) genuineness, (b) changes of form, (c) probativeness in relation to their profession,<sup>2</sup> (d) probativeness in relation to the investigator's need. 3 *Interpretation*, whose task is truthfully and as completely as possible to re-create from those now understood pieces of the past the original life-scene, handles (a) the mere facts attested by the evidence, (b) their conditions, (c) the psychological processes which were their immediate causes and their immediate results, (d) the great thoughts dominating these processes.

<sup>1</sup> *Remains* or remnants are real pieces of the past which were never intended as records [*in memoriam rerum*]. They may be things bearing human stamp, as papers, books, roads, aqueducts, mounds, or customs or thoughts that have been handed down. A language is a remnant. *Sources*, in the specific sense, consist of histories, chronicles, traditions, and whatever was originally intended in *memoriam rerum*. These sources may be contemporary or secondary. *Monuments* combine both the above characters, being remnants which at the same time were intended to conserve memories of persons, things or events. Such are literal monuments, like the pyramids, most works of art, coins, medals, landmarks, coats of arms, names, titles. — *Droysen*. On use of inscriptions as sources, *Hicks*, *Manual of Greek Hist'* Inscriptions [Clarendon Pr., 1882]. On making history from language, *Max Müller*, *Science of Lang.*, 235; *Chips*, II, 251; *Contemp.*

Rev., Oct., 1882. Also Mommsen, Rome, I, 37 sqq. The early Indo-Europeans had all our domestic animals except the cat, but we cannot prove them agricultural as we can the Greco-Romans. They had the family, also gold and nearly all our other metals. Rawlinson gives instead of the above tripartite division of sources a bipartite, into 'records' and 'antiquities.' Freeman and Stubbs justly emphasize the absolute indispensableness to truthful historical writing of acquaintance with the sources. Bisset, Essay i, shows that criticism is, if possible, even more indispensable. An historian, like Froude or Hume, may work from the original sources, yet construct fables. Many documents carefully preserved as authorities contemporary with the events they profess to describe are known to have been composed to conceal instead of revealing the truth.

\* Such questions as, What were the author's opportunities for knowing? What his bias? What the bias of his times? Was the thing possible intrinsically? possible under the circumstances? As to myths, it will not do to trim off that which is incredible and accept the rest. The incredible may be the most or the only valuable part.

## § 8 FOR HISTORICAL EXPOSITION

*Rhomberg, VI. Droysen, §§ 87 sqq.*

Historical exposition must regard first of all, *truth* and *perspective*, the latter in the two elements of *times*<sup>1</sup> and *proportion*. Further: 1 In respect to its general form, historical exposition may be either analytic or synthetic, and analytic exposition may either, (a) follow the course of the original investigation, (b) ask a question and test various answers, progressively approaching the true, or (c) state a fact and trace its several implications. 2 Its subject-matter may be very various; as a life, the operation of some historical cause or congeries of them, the career of an institution, one or more, a conflict of elements, the social culture<sup>2</sup> of a people or period. 3 Its main aim may be to interest, to instruct or to demonstrate.<sup>3</sup> 4 Its style may be more simply didactic or

more rhetorical. Fine style in historical writing is not, as is often assumed, incompatible with fidelity to fact. 5 According to the degree and mode in which he deals with causes [dynamics], the writer will be a chronicler, a pragmatist or a philosophic historian.<sup>4</sup>

<sup>1</sup> I.e., contemporary events must be so exhibited, and non-contemporary so — an important and difficult thing.

<sup>2</sup> *Kulturgeschichte* need not be unscientific, though too much of it has been, treating of matters destitute of bearing on the progress of civilization. Hence its too great unpopularity with scientific historians. Jodl, *Kulturgeschichte*, Halle, 1878.

<sup>3</sup> *Historia scribitur ad narrandum non ad probandum*, says Quintilian. This was true of Livy and most ancient historians. Moderns care more for objective fact and for social evolution. Morison, 'History,' in Encyc. Brit., speaks of a 'rhetorical' [ancient] and a 'sociological' [modern] school of historical composition. He allies Macaulay with the rhetorical. But Thucydides and Tacitus are patterns of critical historical writing.

<sup>4</sup> Gervinus, *Grundzüge der Historik*. On pragmatism and philosophy in history, Seeley and Birrell, *Contemp. Rev.*, June, 1885. S. conceives history as a philosophy; B., as a pageant. Cf. Flint, *Phil. of Hist.* in France and Germany, 222. True history is no mere account of 'bare fact' to the exclusion of construction. The meaning, the bearing, of facts is the main thing. Also not every fact of the past is of import for history, e.g., that Karl Great, according to Einhard, had bright eyes. Had Einhard written 'blue eyes,' as Luden, 'for patriotism's sake,' makes him read, it would have been the registry of a significant historical fact.

## § 9 IS HISTORY A SCIENCE?

*Kingsley* [in Roman and Teuton], Limits of Exact Science as App. to Hist. *Froude*, Short Studies, I, i. *Goldwin Smith*, Study of Hist. *Mill*, Logic, B. VI. *Rümelin*, *Reden und Aufsätze*, II, 118 sqq. *Thornton*, Old-fashioned Ethics, ii.

While no one questions that history admits the application of scientific methods, and yields solid and orderly knowledge, including numberless instructive and useful generalizations, thus forming one of the most important

fields for human study, its character as science in any proper sense, has been earnestly denied. Objectors evidently do not merely mean either (1) that history is necessarily an inexact science,<sup>1</sup> or (2) that it is, as yet, imperfectly developed.<sup>2</sup> They intend to assert that a proper science of history is impossible in the nature of the case. The impossibility is variously grounded.

<sup>1</sup> Like ethics, e.g.

<sup>2</sup> Like the science of the tides or of medicine. On tides, Sir Wm. Thompson before the British Association, Aug. 24, 1882.

## § 10 OBJECTIONS

See last §. Westmin. Rev., Jan., 1881.

The alleged impossibility has been based upon defect or difficulty in man's *means of knowledge*. Writers have urged: 1 That we know past and even contemporary events only very uncertainly and inadequately. 2 That history being an infinite progress yet not moving in cycles, must need infinite time clearly to reveal its law.<sup>1</sup> There is much weight to both assertions. Especially touching the first, there are many great historical events as to which the impossibility of arriving at the exact truth is proverbial.<sup>2</sup> But difficulties nearly the same in kind with these pertain to every science.<sup>3</sup>

<sup>1</sup> Rocholl: 'History shows us neither beginning nor end' (386). Rümelin: 'the laws of human development will be locked up to scientific knowledge still for unmeasured stretches.' — *Reden u. Aufsätze*, I, 29. Floto was more or less of a pessimist. Ficker is a virtuoso in *Diplomatik*, so is Sickel; but they differ *toto celo* as to the value of certain sources. So Gaedeke and Bresslau upon the Casket Letters of Mary Stuart.

<sup>2</sup> We know naught of Hannibal but through his deadly foes. Nor of David Leslie, who fought the battle of Dunbar against Cromwell. Bisset

ably exhibits this difficulty. See, esp., Essay i. Of Mirabeau's speech to the messenger of Louis XVI, refusing to dissolve the Constituent Assembly, there are three different versions, variant and in part contradictory, all from ear-witnesses. — Ducoudray, *Hist. Contemporaine*, 94. At what moment, or hour, did Blücher arrive at Waterloo? *Die Zeiten der Vergangenheit*, says Goethe, *sind uns ein Buch mit sieben Siegeln*. With G. this was no poetic fancy but a fixed conviction. Of past times and peoples we have no statistics. But general knowledge is yet knowledge, within its limits as valuable as any.

<sup>8</sup> We certainly get in history no such cycles or totalities of fact or development as we do in botany, e.g., where we can mark the birth and death of plants. Also, in history, the field of objective data is ever growing, as well as the perfection of our mental grasp upon the data. But in neither of these particulars is history worse off than astronomy. Least of all can a positivist urge objection (2), as to him all sciences are in flux. In a sense he is right. In every one data are multiplying, or at least our knowledge of data is increasing. The history of the sciences bids us expect that after a hundred years few of them will wear the same face as now. They are sciences notwithstanding. There would be a science of botany if each plant lived a million years.

## § 11 ANOTHER OBJECTION

*Schopenhauer, Welt als Wille, etc.*, I, § 51, II, Kap. 38. *Rümelin*, as at § 9.

3 Schopenhauer and Rümelin deny scientific character to history because of what they assume to be the permanent and necessary *relationship of its object-matter to our intelligence*. They judge that in consequence of this relationship all historical generalizations, instead of being, like those of veritable science, legislative for instances and cases, are, at least so far as we can ever know, more or less, if not entirely, subjective, related to the actual facts much as are mathematically calculated probabilities.<sup>1</sup> But 'any facts are fitted in themselves to be a subject of science, which follow one another according to constant laws, although those laws may not

have been discovered nor even be discoverable by our existing resources.'<sup>2</sup> These authors therefore only prove history an incomplete or at worst an inexact science.

<sup>1</sup> What Schopenhauer says amounts only to the truism that sense-phenomena, as such, are not matter for thought. But—what Flint in his criticism overlooks—the great pessimist largely corrects himself before ending his discussion, by admitting the possibility of a *thought-grasp* upon historic fact which shall be truly objective. Schopenhauer, like Goethe, places history in analogy with travels, anecdotes, etc.,—interesting and not destitute of value, but nothing more. Rümelin conceives it rather as Knies and Roscher regard political economy. Both seem to harbor the vicious notion that there is no science but exact science.

<sup>2</sup> Mill, *Logic*, B. VI, iii. An imperfect science is one susceptible of becoming exact, but not yet completely wrought out; an inexact, one to the full construction of which our present powers are inadequate.

## § 12 THE CHIEF OBJECTION

*Froude*, *Short Studies*, I, i. *Adams*, *Manual*, Int. *Schlegel*, *Philos. of Hist.*, 390 sqq.

4 The most serious objection of all, urged by Froude with many others, relates to the *object-matter* of history. It is that, man's will being free, human actions always involve an incalculable element.<sup>1</sup> But (*a*) this would, at most, only prove imperfection in the science,<sup>2</sup> and (*b*) cannot effect even so much save through the inadmissible conception of freedom as arbitrariness.<sup>3</sup>

<sup>1</sup> 'If it is free to man to choose what he will do or not do, there is no adequate science of him. If there is a science of him, there is no free choice' [Froude]. Yet Froude, most illogically, shifts the ground of his objection when he adds: 'If we had the whole case before us, . . . some such theory as Mr. Buckle's might possibly turn out to be true.'

<sup>2</sup> Because unnumbered events which go to make up history are confessedly under law. Lotze in VII, i, of *Mikrokosmos*, has laid stress on this. *Ibid.*, ii, 'The irregular will of the individual is always restricted in its action by universal conditions not subject to arbitrary will.'

<sup>3</sup> Freedom and action under law are not contradictory conceptions as Froude and Thornton allege. Nothing could be more thoroughly the subject of scientific knowledge than the behavior of a perfectly rational being. It is because men are but partially rational and free that our limited intelligence has difficulty in forecasting their deeds. Even Lotze's masterly discussion seems infected with the confusion of free with arbitrary will. So Lenormant and Rümelin. Rümelin keenly notices how vain it is to regard the great masses of historic fact as wholly under law unless each human volition is so.

### § 13 THOUGHTS TOWARD A DIFFERENT VIEW

*Mill as at § 9.*

1 The term 'science' is very inclusive.<sup>1</sup> 2 A body of facts may constitute a science in spite of large *lacunæ* among them and exceeding perplexities concerning them. 3 The admitted applicability of scientific methods to history argues a scientific character in history. 4 The application of such methods in modern historical study has produced immense and invaluable results. 5 Several commonly acknowledged sciences are in a sense embraced in history.<sup>2</sup>

<sup>1</sup> Much dissidence of view would instantly disappear were disputants to begin by seeking a common definition of this term.

<sup>2</sup> Political economy, ethnology, politics. Scientific philology is also very dependent on history. So is scientific law.

### § 14 HISTORY A SCIENCE

*Mill as at § 9. Comte, Positive Philosophy, VI. Draper, i. Rhomberg as at § 5.*

Knowledge becomes science in proportion to its completeness.<sup>1</sup> Since, data being gathered, order or organization is the source of this completeness, knowledge is science in the degree in which it can be subjected to

method and law, and so rendered comprehensible and certain. Under this test history must surely be assigned the rank of a science, though confessedly inexact and as yet but partially wrought out. As illustrating the order traceable in the historical field, take: 1 The laws of progress in general, and of progress by rhythmic contrast and opposition.<sup>2</sup> 2 The scope of prediction in history, often wrongly exalted to the place of sole criterion.<sup>3</sup> 3 The possibility of referring historical movement to certain springs, as (a) ideas of right,<sup>4</sup> (b) personal initiative, (c) the spirit of an age or period, (d) the spirit of a people.<sup>5</sup>

<sup>1</sup> *Wissenschaft* is that which *schafft Wissen*; i.e., *Wissen* is its result. *Wissen* is, to be sure, also its cause.

<sup>2</sup> Such rhythm Hegel takes as the law of history, and the facts support him in a marvellous manner. It is, however, only a formal law, like the general law of progress. It reveals no causes.

<sup>3</sup> Comte: 'Scientific prevision of phenomena the test of true science.' So Froude: 'When we talk of science we mean something which can foresee as well as explain.' Cf. Rocholl, 383 sq. Account for it as one will, or not at all, human actions are subject to prophecy to a vastly greater extent than is usually supposed.

<sup>4</sup> Bisset's first essay proves, against Buckle and Comte, that moral forces, at least in many great crises of civilization, have been more decisive than intellectual.

<sup>5</sup> Cf. also Comte's presentation, in various chapters, of what he terms social dynamics. Wherever men have advanced at all, it has been by steps and stages nearly the same in the different races and ages.

## § 15 CLOSER CONCEPTION

See last §.

History may be characterized as part of Anthropology, as the science of humanity viewed upon its spiritual side and in course of evolution. Its inner nature is

hence determined by that of man, and mainly in four particulars, viz.: (1) as spiritual and social, (2) as susceptible to weal, (3) as moral, (4) as progressive. By synthesis of these points history will be found to secure not only its limits but also a veritable unity. Observe: 1 That no special history is identical with *history*, which latter is the *résumé* and end of all special histories.<sup>1</sup> 2 That the greatly varying importance of special histories is determined according to the above four criteria. 3 That *history* can be presented by single writers or works, only in pieces.

<sup>1</sup> Freeman, v. Treitschke, and to a great extent Arnold, unduly identify history with political history; Augustine, Bossuet, and Pres. Edwards, with religious. Better Guizot: history relates to man 'in all the careers where man's activity displays itself. There is unity in the life of a people and in the life of the race as in an individual life, but as his entire environment and all the spheres of his work combine to form the character of a man, which is one and identical, so there is to the history of a people a unity based upon the variety of its entire existence.' And Bacon: 'Civil history in general has three special kinds, sacred, civil and literary, the last of which being left out, the history of the world appears, like the statue of Polyphemus, without its eye, the part that best shows the life and spirit of the person.' It is easy, as Draper does, and perhaps Guizot, to carry too far the analogy between individual and social life. Nations do not seem to grow old or decay from any intrinsic necessity. See Lotze, *Mikrokosmos*, VII, iii. Cf. Renan, *ante*, § 3, n. 2. Guizot notes well that society makes its political institutions instead of being made by them, so that political history must go out of itself to know itself. Sismondi, on the contrary, declares that 'government is the first cause of the character of peoples' [pref. to Italian Republics].

## § 16 POSITIVIST NOTION OF HISTORY

*Fiske*, *Cosmic Philos.*, Pt. II, xvii. *Draper*, i. *Buckle*, I.

If history is thus justified in claiming scientific status, Comte and Buckle expound this status too summarily. To them, history is part of nature, amenable to, and explicable by, law, in the same sense as nature at large. Acknowledging the, at present, great imperfection of history, and also the special difficulty here attending investigation owing to the little scope offered to experiment, they still expect such perfection of the science as will subject human events to the most accurate prediction. The Positive Philosophy has done eminent services to history, as elsewhere,<sup>1</sup> but from its point of view, we believe, the real genius of the science cannot possibly be discovered. Man, as to what is truly characteristic of him, is not a product of nature, but of spirit; and spirit, while not lawless, is subtle, mysterious, deep, mainly operating by categories far more refined and complex than confront us in the sciences of space and time.<sup>2</sup>

<sup>1</sup> The great merit of positivism is to have bred love of truth as well as a far more patient study of actual facts than once prevailed. Not the exact sciences alone are thus indebted to it, but even theology. This, notwithstanding the ludicrous apriorism and blunders which Bisset has fastened upon Comte.

<sup>2</sup> Lotze, *Mikrokosmos*, VII, i, iii.

## § 17 IS THERE A PHILOSOPHY OF HISTORY?

See references at §§ 10, 11, 13, 15, 16 and 17. *Adam*, ch. i.

This is a different and a far deeper question, though nearly always confused with the preceding.<sup>1</sup> We agree

with Buckle that 'the actions of men and therefore of societies' are 'governed by fixed laws,'<sup>2</sup> and are not 'the result either of chance or of [arbitrary] superhuman interference;' also with the almost universal opinion that history, taken as a whole, has been a progress materially, intellectually and morally.<sup>3</sup> Whence so grand and imposing a cosmical order?

<sup>1</sup> The propriety of this distinction is obvious. Thus the positivists, strongest champions of a science of history, in denying the possibility of knowing ultimate fact deny that of a philosophy of history. See next §. Ernst Laas is the only positivist who sees that positivism is precluded by its principles from making a genuine generalization.

<sup>2</sup> Adam excellently shows that the denial of chance is not the denial of an ultimate and supreme Will. See also Lotze, *Mikrokosmos*, VII, i.

<sup>3</sup> Many question the certainty of this. So Roscher, Rümelin, and even Lotze. Scepticism here proceeds largely from Malthus, and there is nothing successfully to oppose to it except hope of the moral amelioration of men. Hard to frame an entirely satisfactory conception of progress. Cf. § 4, n. 2. Its best criterion is the elevation of the standard by which men judge their own moral life. — Rümelin. Progress, says Herder, lies in the tendency to humanity, in the advancing strength of those powers which exalt man above the brute, the intellectual, moral, and religious impulses. See also Froude, *Short Studies*, II ser.: 'On Progress.' Rocholl, 390, thinks no philosophy of history possible that is not based on grounds other than the mere teachings of history, e.g., on faith or on metaphysics. Rümelin maintains that although history shows 'no *natural* laws, expressing a *must*, an infallible joining of discoverable conditions and results,' yet 'an increasing victory of mind over nature can be characterized not indeed as a demonstrable causal law, but as an indubitable actual result of the history of our race thus far.'

## § 18 AGNOSTICISM

*Spencer, First Principles.*

It is now in fashion to meet the above question in an agnostic spirit. Such as find no science of history

should, *a fortiori*, admit no philosophy, which is usually, though not always, the case.<sup>1</sup> Many believe in a science, but reject all philosophy, of history. The agnostic party has a Positivist or Kantian<sup>2</sup> and an Eclectic section, the former denying all possibility of knowing ultimate causes, or things *in se*. The Eclectics, who include many professed believers in final cause, refer more to the limits of man's cognitive powers, yet often speak as if regarding the innermost reality of the universe incognizable by any intelligence. So, most commonly, in describing freedom and the sway of personal initiative in history. To this agnostic theory, whatever its form, the reply is: Its assertion of our ignorance, as an account of man's present powers and attainments, is, in general, very just. Practically, at present, the facts are much as stated. But to predicate of any historical matter a final and strictly necessary unknowableness, whether the difficulty be placed in the object or in the faculty of knowledge, involves in principle a scepticism fatal to all science.

<sup>1</sup> Schlegel, W. von Humboldt, Augustine, Bossuet, and Shedd erect an inscrutable Providence into a principle of history. They thus, by faith, secure in a way a philosophy of history, but the limitation which they assign to our intelligence makes a deep science thereof impossible. Lenormant loudly proclaims himself a disciple of Bossuet.

<sup>2</sup> The positivist and the Kantian view at this point are practically one.

## § 19 OUR CONCLUSION

Arnold, Appendix to Inaugural Lect. Lotze, *Mikrokosmos*, VII, li. Laurent, *Études*, last vol.

Not overlooking the defects of teleological theories as often applied, we still hold that, if thorough, a teleologi-

cal view of history can, and that no other can, answer all the demands of reason. Such conviction by no means rests merely upon the order, progress and moral bent observable in history itself. The commonest logical processes applied in natural science, unless arbitrarily arrested, force thought down and back to the assumption of a Supreme Mind, eternal Abode of reason, as basis of the phenomenal world.<sup>1</sup> From such a Being it were inconceivable that the universe should issue as a chaos, heaved forth by blind push. It, and history as the evolution of its spiritual side, must possess, and internally, the properties of order, system, purpose. Nor can we rationally confine these properties in time, or to main and special events. 'Through the ages, one increasing purpose runs.' Equally strong considerations assure us that this purpose is moral.<sup>2</sup>

<sup>1</sup> All work in natural science presupposes that nature, however deep we burrow, is knowable. This must mean that it exists, or else consists, in intellectual categories, and this, that nature's very penetralia are subject to cognition. Whose?

<sup>2</sup> 'One lesson, and only one, history may be said to repeat with distinctness: that the world is built somehow on moral foundations; that, in the long run, it is well with the good; in the long run, it is ill with the wicked.' — Froude.

## § 20 BEARINGS OF THIS CONCEPTION OF HISTORY

*Lotze, Mikrokosmos, VII, iii.*

It at once illustrates and confirms this thought of history to observe that through it several important subsidiary historical questions are either solved or alleviated. Thus: 1 Man's nature being spiritual, and its evolution a progress toward a moral goal, theories of his physical

origin and unity cease to be vital.<sup>1</sup> 2 The universe being one, large influence upon man of his environment is to be expected and freely admitted.<sup>2</sup> 3 Apparent pauses in human progress may be interpreted as elements in a rhythm. 4 Great men, playing, indeed, a weighty historical *rôle*, are effects as well as causes.<sup>3</sup> 5 Valuable light is shed on the question between optimism and pessimism.<sup>4</sup>

<sup>1</sup> Cf. Ch. II, § 1. Lotze, *Mikrokosmos*, VII, iv.

<sup>2</sup> But Buckle and writers of his class have exaggerated this. Situation did much to determine the early civilization of Greece, yet why were Italy, Spain and Britain so backward? The correct statement is 'that neither the Greeks in any other land nor any other people in Greece could have been what the Greeks in Greece actually were.' — Freeman. Human development requires occasioning causes, but it is humanity's distinctive task to create for itself the world wherein it is to find its highest enjoyments. — Lotze. 'That eternally blue heaven which laughs above Ionia has now for two centuries renounced those miraculous effects which it must have exerted once, and the havens and bays of the Phœnician coast have almost as long been inviting commerce and navigation in vain.' — Rümelin. Rich soil, easy means of communication and some rigor of climate, 'arousing wants without making the satisfaction of them very difficult,' seem to have been the main natural determinants of early civilization. Neither frigid nor torrid zone originated civilization or tolerates it now in any fine form. Interesting how railroads and telegraphs have rendered civilization unprecedentedly independent of water-ways. China, India, Egypt, Mexico, Babylonia, were wondrously fertile. Herodotus dared not tell the extent of the Babylonian millet yield lest he should be disbelieved. Europe has 1 mile of coast to 33 square miles of territory; America 1:69; Australia 1:73; Asia 1:105; Africa 1:152. — Honegger.

<sup>3</sup> 'The study of history is the survey of events as related to great men.' — Grimm, Michelangelo, ch. ii. — No individual can guide his age without subserving its tendencies or its wants, yet 'those mighty men who through inventive genius or obstinate constancy of will have had a decided influence on the course of history are by no means merely the offspring and outcome of their age.' — Lotze. So W. James, *Atlantic Mo.*, Oct., 1880, takes individual initiative in history as practically an inscrutable cause.

Carlyle was of the same view. On the other hand, in agreement with Comte, Spencer, Stud. of Sociol., ch. ii.: 'Before the great man can remake his society his society must make him. So that all those changes of which he is the proximate initiator have their chief cause in the generations he descends from.' Lotze notices that great religions in particular always attach to a founder.

<sup>4</sup> Any non-teleological or materialistic view of history must be pessimistic if logically carried out. Cf. Ch. II, § 16. Unitarian Rev., 1885, 545 sq.

## § 21 VALUE OF HISTORICAL STUDY

*Adams, Manual, Int.*

If the above is or approximates the correct notion of history, the earnest study of this, with however many discouragements beset, cannot but be profitable. It is so, in fact, upon any view. No science, no department of knowledge, can be thoroughly understood except in the light of its historical genesis and growth.<sup>1</sup> Further, all right historical study tends to be: 1 A prime aid to culture, breadth of view and of sympathy.<sup>2</sup> 2 A first-rate general discipline in reasoning of the practical kind most needed in the affairs of life. 3 An indispensable special preparation for the worthy handling of great questions in any of the sciences relating to man. Chief among the discouragements referred to are the uncertainty and indefiniteness of data, and the inexhaustibleness of the field.<sup>3</sup>

<sup>1</sup> *L'histoire, en effet, est la forme nécessaire de la science de tout ce qui est soumis aux lois de la vie changeante et successive. La science des langues c'est l'histoire des langues; la science des littératures et des philosophies, c'est l'histoire des littératures et des philosophies. Renan, Averroes et l'averroïsme.*

<sup>2</sup> 'There is a book which youth may use to grow old, and the old to become young: history.' K. S. Zachariä, quoted by Roscher.

<sup>3</sup> Bisset, Essays on Historical Truth. Freeman, Methods of Historical Study, ii.

## § 22 MODE OF WORK

*Adams, Manual*, 28 sq. *Freeman, Methods*. *Stubbs, Med. and Mod. Hist.*, iv, v. *Hall [Editor], Methods of Teaching Hist.* [contains excellent bibliography].

For success in this course the first requisite is diligence. Another is to remember that subjects, not tasks, are to be mastered. In historical reading thoughtfulness is more important than bulk.<sup>1</sup> Well-written small volumes upon historical subjects abound, helpful in utilizing time.<sup>2</sup> Of larger works read, and by all means purchase, only the best. Memory of main dates in modern history is important, but dates alone are not history. So of abridgments, *conspectus*, historical tables and the like: they are valuable auxiliaries, but in no sense substitutes for histories proper.<sup>3</sup> Ploetz's *Epitome* is the best *conspectus*, and should be in every student's hands. Fisher's *Outlines* is the best universal history in our language. Adams's *Manual*, with the bibliographies at the heads of our Chapters, will name sufficient literature. Another aid, quite indispensable to correct historical knowledge, is Geography, constant reference to which should attend all historical reading. Freeman's *Historical Geography* is the best work extant in this regard, though its maps are for Europe only. Labberton's is the only historical atlas which covers the entire historical field. It is excellent.<sup>4</sup> Serviceable, though less directly, is also all acquaintance with Ethnology, Philology, Political Economy, Politics, Statistics, Physical Geography, Art, Numismatics.<sup>5</sup>

<sup>1</sup> Bacon's apothegm: 'Read not to contradict and confute, nor to believe and take for granted, nor to find talk and discourse, but to weigh and consider. Some books are to be tasted, others to be swallowed, and

some few to be chewed and digested.' Hobbes used to say 'that if he had read as much as other men he should have continued still as ignorant as other men.'

<sup>2</sup> Epochs of Hist., Ep. of Ecclesiastical Hist., American Statesmen Ser., American Commonwealth Ser., Harper's Half-Hour Ser. and Handy Ser., New Plutarch Ser., The Story of the Nations. Hist'l novels may here be mentioned, and those of the best sort, like Scott's, George Eliot's *Romola* and Charles Reade's *Cloister and Hearth*, recommended. Those by Ebers, Dahn, Hausrath and Eckstein are valuable but less masterly, tending far more to assign modern thoughts and feelings to antique characters.

<sup>3</sup> 'How index-learning turns no student pale,  
Yet holds the eel of knowledge by the tail.'

<sup>4</sup> For notice of other atlases, Adams, *Manual*, 68. Halsey's *Genealogical and Chronological Chart* is very serviceable.

<sup>5</sup> On the studies auxiliary to history, Freeman, *Methods*, i.

## § 23 THE PARTITION OF HISTORY

*Freeman*, *Methods*, Inaug. and i. *Mommsen*, *Rome*, ch i. *Stubbs*, *Med. and Mod. Hist.*, iv. *Zeller*, *Greek Philos.*, Int., iv.

History objective is continuous, knowing no periods or breaks,<sup>1</sup> but in the study and exposition of history divisions are practically a necessity, owing to the finiteness of our mental powers. They should be as little artificial as possible. A highly convenient primary sundering is into ancient and modern history, the turning-point being 375 A.D., the beginning of the fatal barbarian irruption into the Roman Empire, which supplied the last essential ingredient of present western civilization. The most facile cleavage of ancient history is ethnological. That of modern is chronological, into periods: I, from the beginning of the barbarian movement to the discovery of America, 375-1492; II, from the discovery of America to the Declaration of American Independence, 1492-1776; III, from the Dec-

laration of Independence to the present time. Memorable points in I: the Hegira of Mohammed, 622; the Battle of Poitiers, 732; the Roman coronation of Karl the Great, 800; the Treaty of Verdun, 843; the *termini* of the Crusades, 1096, 1270. In II: Luther's excommunication, 1520; the Peace of Westphalia, 1648; the *termini* of the English Commonwealth, 1649, 1660; the English Revolution of 1688; the Seven Years' War, 1756-1763. In III: the Launching of the present Constitution of the United States, 1789; the Outbreak of the French Revolution, 1789; the Vienna Congress, 1815; the American War, 1861-1865; the Battle of Sedan, 1870; the Establishment of the present French Republic, 1870, and of the German Empire, 1871.

<sup>1</sup> So Freeman, also Zeller, as above. For grounds *contra*, Mommsen and Stubbs, as above. Certainly one may point out great *sui generis* reaches of history, and decisive turning-points. Such were, 1492, the coronation of Otho the Great in 962, and the raising of the siege of Vienna by Sobieski in 1683. Coptic chronology dates everything from 284 A.D., 'year of the martyrs' to Diocletian's persecution. Ranke, *Weltgesch.*, *Theil* iv, emphasizes 602 A.D., when the powerful Emperor Maurice succumbed to his troops and to the city of Constantinople, revolutionizing everything in the Orient, estranging the Balkan peninsula by peace with the Avars [604], recognizing the independence of Lombard Italy and emancipating old Rome from the new. Sismondi makes much of the year 1000 A.D., when men gave up the idea of bringing all humanity into one monarchy, which Dagobert, the Caliphs, Karl Great and Otho Great had attempted. He dates modern history from 1000.

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## CHAPTER II

### THE OLD EAST

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#### § I JUVENTUS MUNDI

*Lubbock*, Prehist. Times, ch. xii. *Lotze*, *Mikrokosmos*, VII, iii. *Lyell*, Geol. Evid. of the Antiq. of Man. *Honegger*, *Kulturgeschichte*, I, 153 sqq. Cf. also his *Katechismus d. Kulturgesch.* *Ranke*, *Weltgesch.* I, 30 sq. *Keary*, Dawn of Hist.

FOUR topics in Anthropology have been much discussed: the antiquity<sup>1</sup> of the human race, its unity in essence, its unity in geographical origin,<sup>2</sup> and its earliest intellectual condition. Upon the last two points there is still great disagreement, some authorities maintaining, others denying, that the cradle of the race was single; some, again, affirming that the earliest human ages were an intellectual decline; others, that they formed an ascent from an intellectual condition much like that of brutes. Respecting the other two heads there is, and can be, little doubt, viz.: that humanity is one in essence and nature, and that its life upon our planet, in at least some of its branches, reaches an immense antiquity. The general intellectual progress of mankind is equally certain so far as regards the historical ages. In the main, to the extent of present knowledge concerning primitive man, history abuts upon Natural History.<sup>3</sup> Pleistocene man is matter only for the latter science, which is as good as true of many peoples in every age, and even at present. Distinguish then the periods

(1) of man's Natural History, (2) between the beginning of objective and of subjective history, (3) after the rise of subjective history, which as a rule reaches back in case of any given people, to the date of the oldest contemporary written sources relating to that people, in some instances a little further.<sup>4</sup>

<sup>1</sup> Anthropologists vary from 8000 to 300,000 years in estimates of this. There is no doubt that man appeared in Europe and America before the close of the glacial period. Astronomers [Croll, Geikie] put this 80,000-100,000 years ago; geologists so low as 8000, 10,000, or 15,000 years. Dr. L. E. Hicks places man's advent not later than the beginning of the Champlain period, at least 20,000 years ago, and thinks it may have been earlier, at least in Asia and Western North America, where the genus possibly arrived sooner than on either Atlantic shore. Grant Allen believes that man was present in miocene time, and Pres. Warren [Paradise Found] seems to agree with him. A's evidence is that numberless artificially chipped flints lie in miocene deposits. Boyd Dawkins admits this, but views the flints as the work of apes. He makes the river drift or pleistocene the oldest man yet proved to have existed, but thinks some of his remains pre-glacial. Both Dawkins and Evans deny that any miocene human fossils have been authenticated either in Italy, as argued by Capellini, or in America, as maintained by Whitney. De Nadaillac agrees with D. & E. Best general discussion is still Lyell [3d ed. Lond., 1883]. Cf. also Internat. Rev., Sep. 1882; Nation, 1883, p. 300; 'B. C. Y.' Remote Antiq. of Man not Proven [Lond., 1882].

<sup>2</sup> Lenormant, *Hist. ancienne*, I, discusses this most fully. He is a pronounced monogenesist, as are Peschel, Sayce, and Rawlinson [Manual, 5]. Reinsch too, who, however, locates the cradle in Central Africa. The boldest polygenesist is a writer in No. 17 of '*Ausland*' for 1875. He believes in eight cradles, — Chinese-Japanese, Indian-Malay, Iranian-Semitic, Egyptian, European, Arabic, Aztec, and Peruvian. — Rocholl, 379. Lotze, *Mik.* VII, iv, shows how slight the moral consequence of this question. Maspero, 132, says all early tradition points to a single cradle. Cf. on this, § 5, n. 2. Kant in one place pronounces for monogenesis, in another thinks it scarcely consonant with nature's usual care: 'The first man would drown himself in the first pool he saw.' *Anthropologie*, Th. I, E.

<sup>3</sup> Ritter beautifully names animals man's older brothers. I.e., so far back as we can distinctly trace, primitive man led but an animal life. Mining and incipient manufacturing, villages and government might antedate moral life and so belong to man's Natural H. rather than to history. Ch. I, § 3. 'Hardly disputable that our civilization must have grown up from simple and indigenous beginnings along the path of a gradual and much interrupted development.'—Lotze. There is, however, as yet, no scientific proof that man was evolved from the ape, even physically, the oldest skulls known indicating higher intelligence than those of some races now existent. 'The evolutionist is right as to the method of progress, but the believer in special creations is right as to the cause of progress. God is the author of all life changes, but he has chosen to produce them by the continuous action of natural forces. Terrestrial life is both an evolution and a creation.' Hicks.

<sup>4</sup> Being traced, that is, by means of archaeology and philology; but contemporary written sources alone can assure a connected account.—Mommson, Rome, I, i; Max Müller, *Contemp. Rev.*, Oct., 1882; Freeman, *Sketch of Eur. H.*, 31. Lepsius hails it as the distinctive superiority of Egyptian history, that its contemporary sources, not yet half explored, are so complete. Cf. Lenormant, *Hist. anc., pref.* vii. Sallust had seen native histories of Carthage, which have since perished.

## § 2 THE OLDEST HISTORY

*Mahaffy*, *Prolegomena to Anc. Hist.* *Lenormant*, *pref. to Hist. anc.*

The study of history is no longer permitted to begin with Greece and Rome.<sup>1</sup> Ancient civilization, it has been found, had much solidarity.<sup>2</sup> From the newest investigations, oriental history appears almost as closely bound up with classical as this is with modern. What was once mere suspicion of such continuity, thanks to men like Champollion and Rawlinson,<sup>3</sup> has become certainty. In many lines the connection has been traced, as Greek and Etruscan<sup>4</sup> art to Nineveh. Deciphered hieroglyphics and wedge-characters<sup>5</sup> disclose a new world. Forty centuries of Egyptian life and deeds.

mostly unknown before, now lie open to the light. Egyptian affairs, like those of a modern state, may be studied from original and contemporary documents. The nature and development of Egyptian art and religion can be scanned to the details. Of Assyria the resurrection has been about equally complete, throwing the most valuable and unexpected light upon the Bible and upon the entire march of Asiatic and early European civilization.

<sup>1</sup> Freeman, Rede Lect., Oxford Inaug., and elsewhere, insists strongly and well on the unity of all history, yet inconsistently seems willing to take *European* history as a whole by itself. This involves the same essential error against which he is so loud, of sharp division between ancient and modern.

<sup>2</sup> Especially cannot Jewish history be understood alone. 'Many religious ideas and stories commonly regarded especially Jewish are found on Babylonian clay tablets. The Sabbath, name and all, is Babylonian.'—Fried. Delitzsch. Max Müller adm. no doubt that by Solomon's time even India was in communication with Palestine. Sanscrit words occur in O. T. Solomon's judgment regarding the child claimed by two mothers is current in India. — Contemp. Rev., Oct., 1882. M. assures us that many other similar accounts are common to India and the West, as that of the ass in the lion's skin, in Plato's *Cratylus*. Solomon's Song could almost have been borrowed, so close the resemblance, from the Egyptian love-songs rendered by Maspero in the *Journal asiatique*, *janvier*, 1883. The whole of Asia, including China, was almost one land.

<sup>3</sup> Champollion *le Jeune*, so called to distinguish him from Champollion *Figeac*, his elder brother, also an Egyptologist of mark. The Rawlinson named is Sir Henry, not Professor George, the author of the *Manual* and other works mentioned in the bibliography.

<sup>4</sup> Mommsen inclines to minimize Asiatic influence in early Italian civilization, and thinks it was exerted altogether through Greece.

<sup>5</sup> Hieroglyphics, Egypt; wedge-characters, Assyria. Wiedemann says that we can trace consecutively the march of Egyptian history from between 4000 and 3000 B.C., that of Mesopotamia, not quite so thoroughly, owing to the greater difficulty of the *Keilschrift*, from the eighteenth century. Maspero: 'In a few years Egyptologists will decipher the historic and literary texts in their hands with as much certitude as Latinists read

Cicero or Titus Livy.' 'One could, from the accounts gathered in the tombs, reconstruct the *royal almanac* of Khufu's court down to its minutest details.' Of Assyria: 'In less than thirty years [from the discovery of Nineveh by Botta in 1846] a new world of unknown tongues and peoples has opened itself to study, while thirty centuries of history have come forth from the tombs and reappeared in the blaze of day.'

### § 3 ITS BEARERS

*Lotze, Mik.*, VII, v. *Freeman, Hist'l Geog.*, ch. I, § 3.

The historical nations of antiquity were very few, including, besides Greece and Rome, merely China and India with the members of the later Persian empire, viz., Babylonia, Assyria, Phoenicia, Lydia, Israel, and Egypt. Of these lands mark that: 1 They formed the theatre of history's most stupendous military movements and conquests.<sup>1</sup> 2 All their peoples save the Chinese, were Caucasians<sup>2</sup>; these, Mongolians. 3 Among the Caucasians the Hamite family earliest developed culture and empire, then the Semites,<sup>3</sup> third the Aryans, the last finally playing by far the most important part. 4 Each of the ancient civilized nations was favored not only by great agricultural and mineral resources, but in particular by rare facilities for commerce, while on the other hand some non-historic peoples of those times enjoyed these natural advantages in as high a degree as they.<sup>4</sup> 5 China and India, the eastern section of the old historic world, were the special home of stationary institutions; western civilization was even then distinguished for life and movement.<sup>5</sup>

<sup>1</sup> Those of Chedorlaomer, Ninus, Semiramis, Tiglath-pilezer, Assurbani-pal, Ramses II, Cyrus, Cambyzes, Alexander, Omar, Haroun, Mahmoud.

Jenghis Khan, Tamerlane, Godfrey de Bouillon, Saladin. One might add Napoleon and Mehmet Ali.

<sup>2</sup> The oldest known inhabitants of the Euphrates Valley were partly Turanian [non-Caucasian], in part Hamitic [Lower Tigris Valley], in part Semitic [Assur]. But few Turanian traits remained at the time whence their connected history can be traced, unless with Oppert we regard the basis of the Assyrian language Turanian. Cf. § 9. This early eminence of the Turanian stock seems to have been destined to be its last.

<sup>3</sup> *Hommel, Die Semitischen Völker u. Sprachen. 2 Bde.* Hamites first, i.e., in Egypt and Babylonia; then the Semites, viz., the Lydians and also, substantially, the Assyrians and Babylonians during the period of their great history. Aryans last, i.e., the Persians, Greeks, and Romans. 'It is a growing conviction of ethnologists and philologists that the primitive home of the white-skinned population which first spoke the languages of the Aryan family, was in the neighborhood of the Baltic, and that this population still survives in its purest form in the southern parts of Sweden and Norway.' — Sayce. The old Egyptians, from whom the modern Copts have come, appear to have been of the same stock as the Iberians and Etruscans and the present Basques and Berbers. This, to be sure, is still *sub judice*. F. W. Newman's *Libyan Vocabulary* [Lond., 1882] shows all the present languages of No. Africa to be closely related to the Semitic. It is certain, at any rate, that the Etruscan was no branch of Aryan speech. Pauli, *Etrusk. Forschungen*, pt. iii. The Semites [of Assyria-Babylon] led civilization from the 13th cent. B.C. to the 7th and even the 6th. They then yielded to the Aryans, though never ceasing to be active, and at length, after Mohammed, placed themselves at the head again. Subsequently to this occurred the renaissance of Mongol [non-Caucasian] power under Jenghis Khan [1206 A.D., and later] and Tamerlane [c. 1402].

<sup>4</sup> See Gryzanowski's comparison [N. A. Rev., Oct., 1871] of Sardinia with Sicily, showing that everything but *man* has favored Sardinia. — James, *Atlantic Mo.*, Oct., 1880; Gordon, *Climate in Relation to Org. Nature* [Vic. Inst. Ser.]. Notice upon the map of ancient Eg. how civilization clung to the Nile. But large parts of Arabia were conditioned as favorably for civilization as any in the world, without producing it.

<sup>5</sup> Klemm divides peoples into active and passive. Guizot, unjustly, ranks Egypt no less than India as passive, an estimate less and less possible as Egypt's genius becomes known. But if Egypt was less sluggish than India, it was more so than Assyria, Phoenicia or Greece.

## § 4 EASTWARD THE COURSE OF EMPIRE

*Homaggar, Kulturgesch. I, 53 seq.*

While viewed at any given moment ancient civilization increases in brilliancy from east to west, the chronological progress of its origination is rather from west to east.<sup>1</sup> Egypt possesses a high civilization at least twelve centuries before our earliest record of a Chinese emperor. Babylon is a centre of light while the fathers of the Hindoos still tend their flocks in Iran. The Hindoos too must have carried an advanced culture with them down the Indus, the Sanscrit having been a perfect literary language by 1500 B.C. Yet the Vedas are not the oldest literature. One part of the Egyptian papyrus 'Prisse'<sup>2</sup> hails from before 3000, and hieroglyphic writing itself is older than history. This papyrus is an ethical document. The peoples<sup>3</sup> from whom sprung the Chaldeans in Babylonia had a theology, a regular law-code and the rudiments of writing. The earliest certified pieces of Chinese literature scarcely reach further back than the thirteenth century. In Egypt, again, under dynasty iii, so early as 2800 at least, not only agriculture and very many difficult mechanic arts but even several of the fine arts were in an amazingly forward state, implying high intelligence and thorough social organization.<sup>4</sup> The great Sphinx of Ghizeh and the temple near it quite antedate history, and are the oldest creations of man.<sup>5</sup> Scientific astronomy goes back in Egypt at least to 2782,<sup>6</sup> in Babylon to 2234, in China only to the twelfth century.

<sup>1</sup> Some earliest historical dates are, approximately: for Egypt, 3892; for Babylon, 2500; for China, 2400 (less certain than the others); Abra-

ham, 2000; for oldest Vedic literature, 1600; Moses, also arrival of Hindoos at the Ganges, 1300; for Assyria, 1200; for Phœnicia, 1050; first Olympiad, 776; Roma condita, 753 [Varro], 752 [Cato]; for Lydia, 724; for Persia, 558; Buddha, 550. No connected Biblical chronology earlier than King Saul, about 1100. The date given for Eg. is Lepsius's and is quite within bounds. Boeckh says 5700; Mariette, 5004; Benloew, 4500; Lenormant, 'more than 4000.' Oppert says: 'not 40 but 70 centuries look down from the pyramids'; Maspero: '5000 years between dates of our earliest and our latest Egypt'n documents.' In giving so high figures Lenormant, Mariette, and Maspero seem to follow Manetho, whom German writers discredit mainly on *a priori* grounds. — Len. *Hist. anc.*, II, 71; cf. § 6. These dates resemble little enough those from Kohlrausch's tables which all the schoolboys of Europe had to give thirty years ago: creation, 3484 B.C.; deluge, 2328; Noah's sons, 1656, etc. The Jewish calendar pretends to reckon from the creation of the world, which it places 3760 years and 3 months B.C. Most partisans of the Samaritan text of the O. T. put Christ's birth in the 4305th year of the world; the LXX in the 5270th or the 5873d, according to mode of reckoning. The fact is that the Bible does not determine primordial human chronology or assign any date for the creation of man. So Rawlinson [G.] and, most emphatically, Lenormant [who was a devout Catholic] *Hist. anc.*, I, 7, 209 sqq. On Abraham's date, *Zeitschr. für Volkswirtschaft*, etc., XXIII, 2, 141, which puts his death in 2037 B.C. As date for Moses, Poole and Rawlinson say 1652, Bunsen and Lepsius 1320. Honegger believes that safe chronology regarding China does not reach beyond the 8th or 9th cent. B.C. Objective Phœnician h. probably goes back at least to 2000 B.C., but we cannot fix dates there anterior to 1050. The Tyrian priests dated their city from 2750. — Maspero, 192. The *Homeric poems* in their present form are not older than 850. Ranke makes Pheidon [d. 660] founder of the naval power of Argos, the earliest historical character of Greece. The Heraclidæ, the heroes of the Spartan-Messenian war and even Lycurgus he regards as *sagenhaft*. Nor will he concede that any Roman date is strictly historical till the Gallic invasion, 364 a. v. c., 389 B.C. *Weltgesch.*, II, 8, n.

<sup>2</sup> This hoary document, now in the *Bibliothèque Nationale* at Paris, was composed, its oldest part under Snefru of dynasty iii, the rest under dynasty v. Our copy is perhaps contemporary but certainly not later than dynasty xii. — Lenormant; Maspero, 85. It is the oldest book in the world.

<sup>3</sup> Maspero, 139; cf. 146 sqq. Lenorm., *Hist. anc.*, I, 363.

<sup>4</sup> In the grotto-tombs of Benihasan, dating from Snefru of dyn. iii,

these arts are pictured as in exercise. — Weber, *Weltgesch.*, I, 52, 54; Lenorm., II, 67. Wiedemann refers all this to before 3500.

<sup>8</sup> Unless, as Wiedemann judges, some statues are older.

<sup>9</sup> The figure 2782 is gotten by reckoning back from 1322 B.C., when we know that the Egyptian Sirius year and civil year coincided. Assuming their dissidence to have been  $\frac{1}{2}$  day, 1460 years before 1322, i.e., in 2782, they would have coincided previously. 2234 is from Simplicius, who declared that when Alexander reached Babylon astronomical observations there went back 1903 years. Chinese history records that in the 12th century B.C., 'Tschin Koning, in the city of Ly, measured the length of the sun's shadow at solstice with the utmost precision.'

## § 5 DIVERSITY AND UNITY

*Mommsen*, Rome, I, 42, 46, 275. *Lotze*, *Mik.*, VII, iii. 'Calendar,' in *Encyc. Brit.*

Primitive civilization is largely homogeneous, at once result and proof of mankind's unity. The use in common of speech, the existence of sun-worship, of a lunar calendar and so on, among many peoples, do not show their culture to have had a common historical root.<sup>1</sup> Yet so far as concerns Asiatic civilization we must suppose either unity of origin or great international influence.<sup>2</sup> Everywhere here we find (1) a separation of the world's history into four great periods, (2) about 2500 B.C. regarded as a special epoch, (3) a tradition of a flood, (4) a lunar calendar, involving the seven-day week, and the 'nycthemera.'<sup>3</sup> The Babylonians, Hindoos and Chinese further agreed in employing a sixty-year period. The Egyptians on the other hand began the day at midnight, had a week of ten days, a month of thirty and a year of twelve such months, though corrected by the sun.<sup>4</sup> They had an Apis-cycle of twenty-five years, a thirty-year cycle and a Sirius-cycle, no one of which was known in Asia. Also they had no

tradition whatever of a flood. But Egyptian weights and measures agreed with the Babylonian, and Egyptian caste and worship of animals remind us of India. These considerations, joined with still weightier ones, ethnological and philological, make it nearly certain that even Egyptian civilization, though in very ancient form and times, came from Asia. The existence of a commanding international influence later is beyond question, Egypt and Babylon its especial centres. The Phœnician alphabet, basis of all others, is but a modification of signs taken from the Egyptian hieratic speech.<sup>5</sup>

<sup>1</sup> Many ideas and usages may be common to several peoples without indicating that such peoples had common descent or even intercourse. Attention to this obvious truth would have saved sciolists much pains. Thus among the aborigines upon the River Darling, New So. Wales, children succeed to rank of mother, as in Old Egypt. So of many if not most of the myths, proverbs, habits, etc., having nearly world-wide prevalence, canvassed by Tylor, *Early H. of Mankind*, Pt. II, viii, ix. Cf. Miss Emerson's *Indian Myths* [Boston, 1884]. Zeller, *Greek Philosophy*, I, p. 42, adverts to some strong resemblances between Greek and Asiatic philos., unaccompanied by any proof of historical connection. Intercourse will account for more than community of origin. The story of Moses hidden in the bulrushes is almost exactly related of Saryoukin and of Semiramis. — Lenorm., *Hist. anc.*, I, 175, 277. On accounts of the flood and of the Tower of Babel, Maspero, 160 sqq. Lotze thinks that even the flood-tradition may have arisen independently in various centres, among the American Indians as among the Mesopotamian Cushites. Not so in all such cases: 'Our nursery tales contain echoes from the very earliest antiquity; the same fables that exercise our reflection in youth were once told in India, Persia and Greece, and many popular superstitions of to-day have their root in heathendom.'

<sup>2</sup> Sayce does not agree with Lenormant in placing Eden, according to Zend tradition, in the highlands of Hindu Kush, but rather with Delitzsch [*Wo lag Paradies?*], who locates it in Babylonia. Sayce sees no trace or possibility of contact between the early Aryans of the far East and the

Accadians and Semites of the Euphrates Valley, until the time, 9th century B.C., when Phœnician ships traded to Ophir and the Assyrian monarchy came into relation with the Medes. He regards the resemblance between our account of Paradise and that of the Persians as due to borrowing *by them* in later times. Academy, Oct. 7, 1882.

<sup>3</sup> 'Night-day,' 24 hours, beginning with evening. Natural, because the new moon, first noticed at evening, began the month. 'Chodhesh,' in Hebrew, means both 'new moon' and 'lunar month.' The seven-day week probably originated from the moon's phases, or from division of the days in a periodic lunation by 4, though in Babylon, at a late period, it seems to have been connected with the seven planets. Since the captivity the Jews have always used a lunar calendar, more or less modified by notice of solar changes: Wolf-Baudissin, '*Mond*,' in Herzog-Plitt's *Realencyc.* All Mohammedan peoples also still retain the lunar year, about 11 days shorter than the solar.

<sup>4</sup> All of which proves that the Egyptians once possessed great intellectual independence. To them the entire civilized world is indebted for modes of reckoning time. The Julian day was from them, only 11' 12" too long, which Pope Gregory XIII, in 1582, corrected so closely that 3333½ years will be required again to bring an error of a day.

<sup>5</sup> See § 13.

## § 6 EGYPT

Duncker, B. I. 'Manetho' and 'Egypt,' in Encyc. Brit. Sayce, Ancient Empires, I. Tompkins et al., Recent Egyptological Research.

The history of Ancient Egypt proper, of Egypt under the Pharaohs, ends with the victory of Cambyses, 525.<sup>1</sup> There was an Old Kingdom and a New, divided by centuries and with very distinct characteristics. At first there existed many separate states, which were at length fused into two great principalities, Lower Egypt to the point of the delta and Upper Egypt to the first cataract. Later both came under the one sway<sup>2</sup> of the first historic king, Mena, founder of the Old Kingdom. The earlier petty states became nomes or counties,<sup>3</sup> and the efforts of the vassal counts after independence and

empire form a leading element in all Egyptian history. In not a few cases accounts of rival kings greatly aggravate the task of chronologists.

<sup>1</sup> 5000 (at least), beginnings of Egyptian civilization. 3892, Mena founds Old Kingdom. 3000, the great pyramids. 2090-1830, Hyksos, sway over all Egypt. 1580, Hyksos driven from Lower Egypt; New Kingdom. 1599-1560, Tahout-mès III; Golden age; Dynasties xviii and xix. 724-671, Ethiopian domination. 671, Assur-a'h-iddin's (Assyrian) conquest. 525, Cambyzes' conquest. 332, Alexander's conquest. 30, Octavian: Egypt a Roman province. The older dates here given accord with Duncker's, and are within bounds. Henne places Mena 6117 B.C.; Mahaffy, 5000; Brugsch, 4393; Hofmann, 2182. Well might the old priest of Saïs say: 'O Solon, Solon, you Hellenes are but children and there is never an old man who is a Hellene. In mind you are all young. There is no old opinion handed down among you by ancient tradition, nor any science hoary with age.' — Plato, *Timæus*, 22. It is customary to reduce the higher dates of Egyptian chronology by doubling more or fewer of Manetho's dynasties; i.e., taking them as parallel. Lenormant declares that no fact has been adduced to prove the rightfulness of this. He agrees with Mariette in regarding them as serial, believing that Manetho omitted all but the legitimate ones. The ablest discussion is by Mariette, reproduced for substance by Lenorm., *Hist. anc.* II, 32 sqq. Maspero and Mahaffy seem to favor this theory, and Sayce adopts it. — *Ancient Empires*, 16. For the difficulties of the subject, see the articles named above under the caption of this §. One trouble is that the Egyptians themselves reckoned from no era. None but astronomers kept in mind 2782 [§ 4, n. 6].

<sup>2</sup> The kings after Mena were called 'lords of the two realms,' and the crown, 'the double crown.'

<sup>3</sup> As occurred in Saxon England. On this phase of Egyptian history, Lenorm., *Hist. anc.*, II, 53-64, 160, 297; Maspero, 177.

## § 7 THE OLD KINGDOM

*Osborn*, *Ancient Egypt*. *Rawlinson*, *Anc. Egypt*. 'Egypt,' in *Encyc. Brit.*

This had Memphis for capital. Besides Mena, Snefru, of dynasty iii, conqueror of Arabia Petræa, and Khufu,<sup>1</sup> Kha-f-Râ and Men-ké-Râ, of dynasty iv, builders of the

great pyramids, were its most famous kings. Tablets from Snefru's time<sup>2</sup> show us art wonderfully advanced, and civilization in general as completely organized as at the Persian or the Macedonian conquest, with a physiognomy thoroughly its own and marks of a long past. Egyptian as a separate language, also hieroglyphic writing, have attained perfection.<sup>3</sup> Khufu's pyramid, awful in its proportions,<sup>4</sup> the most stupendous of all human works, reveals a practical skill in engineering and architecture never yet outdone. Drawing and sculpture in some respects already approach final perfection. With dynasty iv the glory of the Old Kingdom attained its height. Rebellions and civil wars ensued; the conquests in Arabia and Nubia were lost, and from the sixth to the eighth dynasty civilization itself wellnigh suffered eclipse. Meantime the vassal power of Thebes grew, until its prince, the renowned Mentuhotep,<sup>5</sup> subjected all Egypt, even the capital, to his sway, preparing the way for dynasty xii, and for what Lenormant styles the Middle Kingdom. Art and science now bloom again. Dynasties xi and xii cover the special period of Egyptian internal improvements and development in the useful arts. Men weave, make pottery, blow glass, work gold. Moeris, the Labyrinth and Benihasan<sup>6</sup> are now constructed. The religion of Osiris,<sup>7</sup> also the Book of the Dead,<sup>8</sup> originated under these dynasties. Dynasty xii reconquered Nubia and the Sinaitic peninsula. Then civilization again entered penumbra, and at length, with the victorious invasion of the Hyksos,<sup>9</sup> became totally obscured.

<sup>1</sup> The Cheops, Chefren and Mycerinus, of Herodotus. It is better, where possible, to transliterate Egyptian names, of doing which there are several modes. Maspero uses 'w' for Lenormant's 'f.'

<sup>2</sup> Not later, and probably much earlier, than 2800 B.C. Cf. § 4, n. 4.

<sup>3</sup> We have from this period a picture of a scribe at work with pen, ink-stand and papyrus, indicating that the hieroglyphs were already beginning to assume a cursive character.

<sup>4</sup> Base, 746 ft.; height, 450 ft. For the Chefredjef these dimensions are 690½ and 447½. Both piles must have been much larger originally. Herodotus makes the Cheops 8 plethra in both length and height. It took 100,000 men ten years simply to construct the causeway by which the stone for this pyramid was transported from the quarries to the Nile boats.

<sup>5</sup> Or Mentouhotep [Maspero]. He was not the first prince of the name, nor the first to cast off the bonds of vassalage, but the first really to rule the entire land. Lenorm. assigns 19 centuries to the Old Kingdom, exclusive of the Middle. There is much propriety in separating the Middle from the Old. Stern, *Deutsche Revue*, Oct., 1882, shows that the dearth of records just before dynasty xi is nearly as complete as during the Hyksos devastation.

<sup>6</sup> Porticos of some of the tombs of Benihasan have columns of the purest Doric style, 'anterior by at least two thousand years to the oldest columns of this order that were erected in Greece.'—Maspero. Moeris was an enormous lake, built by Amenemhat III, dynasty xii, to retain and utilize the waters of the Nile overflow.—Herodotus, II, 49. The Labyrinth, near by, was a vast quadrangular stone palace, containing, it is said, three thousand rooms, each perfectly square, and covered with a single, massive concave slab. The rooms were so connected that once in, a stranger without guidance was lost. The grotto-tombs of Benihasan were the cemetery of the hereditary princes of Meh. It is from the scenes graven in their eternal stones that we learn as above of the state of the arts under dynasty xii.

<sup>7</sup> The god Osiris was a more human form of the higher [supreme?] god, Ra. See 'Egypt,' in *Encyc. Brit.* [consult index, s.v. 'Religion'].

<sup>8</sup> A tedious recital of the long and painful adventures which spirits were supposed to pass through in making their way to the abode of Osiris.

<sup>9</sup> The word means 'robber-kings.' They were probably a coast people, perhaps Arabs. See Stern, in *Deutsche Revue*, Oct., 1882. He regards them as having been Hamites, 'like the Edomites, Chorites and Canaanites,' and as arriving in Egypt about 2000 B.C. They were barbarians, and left no monuments. Hence our ignorance of them.

## § 8 THE NEW KINGDOM

*Rawlinson, Man., 68 sqq. 'Egypt,' in Encyc. Brit. De Lanoye, Ramses the Great.*

The Hycsos expelled,<sup>1</sup> national life and culture are speedily and splendidly restored. Gorgeous buildings line both Nile banks, from cataracts to sea. Art and industry flourish. Dynasty xviii introduces and crowns Egypt's golden age—at home, enlightened civil service, order, progress; abroad, immense and unprecedented conquests. Under Tahout-mès<sup>2</sup> III, Egypt is arbiter of the world, in the language of those times, 'placing her frontiers where she pleases,'—sovereign from Cape Guardafui<sup>3</sup> to beyond the Euphrates, and in the Ægean Islands. Decline and temporary anarchy<sup>4</sup> mark the transition to dynasty xix, not yet, however, ending the golden age. Present knowledge lessens the former fame of Ra-messou II, usually called 'the Great.' Personally brave, he is an unwise and tyrannical prince, under whom the kingdom, on the whole, declines.<sup>5</sup> Further decline follows; the high priest of Thebes usurps the throne; is opposed, at last successfully, by legitimists from the delta, and driven to Ethiopia, where he founds a kingdom.<sup>6</sup> There follows a period of alternate Ethiopian and Assyrian sway, and of little, rival kings, especially in the delta. A partial renaissance comes with dynasty xxvi, due mainly to Grecian immigration and influence, Psammeticus and Necho II being its main patrons.<sup>7</sup> But disaffection on the part of the national party, and a vast emigration from the warrior caste, prepare victory for Cambyses.

<sup>1</sup> Native kings had been all the time in power, especially in Upper Eg., but as vassals of the Hycsos. There were no horses in Egypt till the

Hycsos; the cat on the other hand originated in Egypt, and has spread thence over all the earth. Cf. Kohl, *Ueber die Rolle welche Thiere in Gesch. gespielt haben, Vierteljahrsh. f. Volkswirtschaft*, Bd. I; *Schlieben, Pferde d. Alterthums*.

<sup>2</sup> Interesting to notice that his great power was built up for him by a woman, Hatasu, his elder sister.

<sup>3</sup> The name 'Pount' was applied by the Egyptians to Arabia, with the parts of Africa about the Red Sea mouth. The word seems allied with 'Poeni,' 'Phoenicia,' and the 'Phut' or 'Put' of the O. T.

<sup>4</sup> Caused by the apostasy of Amon-hotpou IV from the national religion to a crude form of theism, which he appears to have held in a most bigoted temper. Lenormant believes that his change was due to Israelitish influence, and proposes to identify his god, 'Aten,' with the Hebrew 'Adonai.' His mother was a Semite. Both Ramessou I and II probably had Semitic blood in their veins, and neither was sound in the Egyptian faith. They worshipped Soutech, chief god of the Hycsos. When was Israel in Egypt? The best evidence places Joseph's promotion under Apophis, one of the Hycsos rulers; the persecution under Ramessou II, dynasty xix, and the Exodus under Menephtah II, Ramessou's fourteenth son and next successor. — 'Egypt,' in *Encyc. Brit.*, index, s.v. 'Exodus.' That Ramessou II, whose mummy was unwashed and photographed in 1886, was the Pharaoh who put to death the Hebrews' male infants, and built Pithom with Hebrew slave labor, has been conclusively proved by M. Naville's recent discoveries at Pithom itself. See his *Store City of Pithom*, etc. [Lond., 1885].

<sup>5</sup> Lenorm., *Hist. anc.*, II, 286. Ramessou, or Ramses, II is the Sesostris of Herodotus. Three steles of his may still be seen cut in rock near Beirut. Stern puts the beginning of Ramessou's reign between 1390 and 1380. Ramessou III ascended the throne in 1311, which may be taken as the first absolutely *fixed* date in Egyptian chronology. It is fixed by reckoning from the conjunction of the Sirius year with the vague in 1322. See § 4, n. 6.

<sup>6</sup> Cf. § 11, n. 1.

<sup>7</sup> This dynasty began in 648. Necho II ruled 610-594. It was he who caused Phœnician sailors to circumnavigate Africa, who attempted a canal between Nile and Red Sea, and who, in an Asiatic campaign, was beaten by Nebuchadnezzar at Carchemish, 605. His victor invaded Egypt, but soon withdrew. The Egyptians, like the Jews, disliked the sea. Hence the welcome extended by these kings to Greeks and Phœnicians. Priestly influence, enforcing passive conformity, contributed to the decline of national spirit. Cambyse's conquest was easy for much the same reason as Wolsey's in 1882.

## § 9 ASSYRIA AND BABYLON

*Duncker*, Bks. II-IV. *Maspero*, 139, 146 sqq., 154 sqq. *Sayce*, *Ancient Empires*, II. 'Babylonia,' and 'Persia,' in *Encyc. Brit.* *Rawlinson*, *Five Great Monarchies*.

Civilization early<sup>1</sup> appears in the great basin of the Euphrates and Tigris, its bearer being a people of mixed Turanian, Hamitic and Semitic stock,<sup>2</sup> the Semitic soon preponderating. Aside from the Medo-Persian, there were here four immense empires in succession, the Elamite, the first Chaldean, the Assyrian, and the second Chaldean. Separate kings, subject to Elam, governed in Chaldea till about 1900, when one of them, Saryoukin, or Sargon, conquered most of the others and threw off the Elamite yoke. This king furthered astronomy and literature, founding a library.<sup>3</sup> Semitic colonists further up the Tigris founded Assur and Nineveh, subsequently Assyrian capitals. Babylon remaining the chief mistress of culture, Assyria was successively her vassal, peer, and suzerain. Assyria had a far greater reach in both space and time than either Chaldean empire. It became a matter of course that each Assyrian king should make his yearly tour of battles. The history embraces three separate long periods of almost world-wide sway. During the second, country eastward nearly to the Indus was conquered; in the third, Egypt to its utmost bound. The broadest empire was under the greatest king, Assurbanipal.<sup>4</sup> Babylon, after long effort for independence with only rare and temporary successes,<sup>5</sup> joins Media in overthrowing Nineveh and Assyria. The independence is splendid but brief. In little more than a century Babylon itself succumbs to Cyrus of Persia.

<sup>1</sup> 2300, Elamite power. 1900, Saryoukin of Chaldea, independent. 1800, Assyria a separate principality. 1400, Assyria independent. 1270, Chaldea subject to Assyria. 1020, second period of Assyrian conquest begins. 745, Touklat-habal-asar [Tiglath-Pilezer] II. 665, Assurbanipal: Assyrian empire at its apogee. 606, Nineveh falls. 538, Persians take Babylon.

<sup>2</sup> The primordial civilization here was Turanian, its bearers the Accadians, occupying Babylonia to about as far south as the junction of the Euphrates and Tigris. Further south were the Sumirs, while northward, in and around Assur, which they had built, dwelt the rude Semites, who, mixing with the Accadians and Sumirs, produced the historic civilization of Assyria-Babylon. The Sumirs seem to have been Hamitic, yet spoke a tongue related to Accadian as dialect to parent language. It resulted that Assyrian speech was Semitic, Assyrian writing Turanian. On these very perplexing relationships see *Haupt, Die Akkadische Sprache* [with Appendix], Berlin, 1883. Many authors consider the Sumirs also to have been Turanians.

<sup>3</sup> The works were mathematical, astronomical and philological. Many of them, copied at a later period by order of Assurbanipal, are now in the British Museum.

<sup>4</sup> *Smith* [G.], *Hist. of Assurbanipal* [Lond., 1871] is a most interesting interlinear translation of the cuneiform records. At the end are some valuable remarks by Bosanquet on the chronology of the times of this great king. Assurbanipal held sway over nearly the entire Semitic world. His reign was the apogee of Semitism, as that of the Egyptian Tahout-mès III, of Hamitism.

<sup>5</sup> Babylonia was partly independent from 1100 to 800. During some of the time of its subjection to Assyria it was not merely in vassalage but actually incorporated.

## § 10 INDIA

*Duncker*, Bks. V, VI. 'India,' in *Encyc. Brit.* *Oldenberg*, *Buddha*. *Kaegi*, *Rigveda*. *Rhys Davids*, 'Buddhism,' in *Encyc. Brit.* *Hunter*, 'India,' *ibid.* *Collins et al.*, *Buddhism and Christianity*.

Egypt was Hamitic, Assyria Semitic. Persia, of which, as less significant for civilization, our brief survey forbids the canvass, was Aryan.<sup>1</sup> The oldest historic Aryan people are the Hindoos. They have no monuments from before Buddha, but Rigvedic<sup>2</sup>

representations, reflecting the utmost simplicity of manners as well as scenery from the Pendjâb<sup>3</sup> and indeed from Central Asia, together with the decaying aspect of the civilization when Alexander came, refer the rise of Hindoo history to a very early time. After pressing some distance down the Indus the people divided and one part crossed, conquering, to the Ganges. The west remained the chief home of Vedic conceptions; in the east, the cradle of Buddhism, these were never rife. Of Indian history before Alexander note four periods: 1 Age of conquest and settlement, represented by the great national epics, the *Mahabharata* and the *Ramajana*.<sup>4</sup> 2 Growth-time of the caste system<sup>5</sup> and of Brahmanism in general, represented by the laws of Manu. Transition to this period registers an astounding departure of the people's thought and life from previous simplicity. The period presents an earlier, constructive stage, and a later, that of the *Puranas*,<sup>6</sup> marked by moral decadence, and the rise and strife of sects. 3 Epoch of Buddha and primitive Buddhism. The original Buddhistic preaching, 'human equality, free salvation, enter the path'—earnest, aggressive, pervasive—bade fair to work for the old religion total overthrow.<sup>7</sup> 4 Brahmanistic reaction. Rock temples<sup>8</sup> at Ellora, Salsetta, Elephanta. Buddhism, stimulated by persecution, spread, modified, into all Eastern Asia: Foism in China, Lamaism in Thibet.<sup>9</sup>

<sup>1</sup> 'Aryan' = 'the excellent.' Cf. *âryas*, *âryatos* and *âryah*.

<sup>2</sup> The Rigveda is made up of the oldest Indian hymns. They are largely of a religious nature yet with secular elements. Later, complementary collections, similar to the Rigveda, were the Samaveda, the Jajurveda and the Atharvaveda. Nearly all the Sanscrit literature is poetry.

<sup>3</sup> The 'five-river-land' on the upper waters of the Indus. See map of India. They must have arrived here from beyond the Khyber Pass so early as between 4000 and 3000 B.C. On the probable earliest home of the Aryans, § 3, n. 3.

<sup>4</sup> The former poem relates to the conquest of the Ganges Valley, the latter to that of the Deccan.

<sup>5</sup> Hunter, as above, gives the best brief account of the origin of caste: into i) priests, ii) warriors and iii) serfs [Sudras]. The first were exalted by the sacredness of their office; the last, the original people of the land, were degraded by conquest.

<sup>6</sup> These were the writings of the various sectaries. Manu's Code was 'the Bible of caste.'

<sup>7</sup> Buddha renounced nearly every article of Brahmanical belief and demanded of his disciples almost no confession of faith. His creed was: no personal God, no soul, no immortality for the individual consciousness, 'mortal life a moan, a sigh, a sob, a storm, a strife,' peace to be had solely in total self-renunciation. He enjoined no sacrifices for sin, composed no prayers and made no provision for religious services except meetings for confession of faults. Buddhism 'has gained more disciples than any other creed in the world, and, after a lapse of 24 centuries, is now professed by 500 millions of people, or more than one-third of the human race.' — Hunter. On the Buddhist's goal: 'If any teach NIRVANA is to cease, say unto such they lie. If any teach NIRVANA is to live, say unto such they err, not knowing this.' *Light of Asia*.

<sup>8</sup> It was the Buddhist pagodas, so popular, that first led the Brahmans to rear these temples. Previously they had no religious structures.

<sup>9</sup> See 'Lamaism' and 'China,' in *Encyc. Brit.*

## § II GOVERNMENT

*Rawlinson, Man., 22 sqq. Aristotle, Politics, V.*

In Asia as in Egypt the earliest historical civil government is despotic monarchy. As yet, no dream of constitutional rule.<sup>1</sup> To the last in India, at first everywhere, kingdoms are small and separate.<sup>2</sup> The colossal empires of West Asia are late, evoked partly by the need of opposing Egypt. In these — prime cause of their insta-

bility — so lacking is Antiquity in all thought of human unity<sup>3</sup> that no effort is had to unify subject nationalities. Tribute promptly paid, conquered peoples are left entirely to themselves. Even under the satrap system of Darius Hystaspes, each province is quite free to retain its own speech, religion, laws, customs.<sup>4</sup> This policy had advantages. It brought formal, furthered real, centralization. On the other hand, it promoted disloyalty through the dangerous scope it offered to the greed of satraps. Co-ordinate nations too lacked mutual regard. Each viewed itself as divine in origin, others as barbarians, to be plundered, enslaved or put to the sword, as it might list.<sup>5</sup> In international spirit and ideas toward constitutional government Phoenicia took the lead.<sup>6</sup> The noble brotherly love of Buddhism little affected politics.<sup>7</sup>

<sup>1</sup> The Ethiopian kingdom mentioned in § 8 was elective, but such a monarchy was doubtless as little constitutional as the likewise elective one of early Rome.

<sup>2</sup> Phoenicia is rather a geographical than a political name. Its cities were each a state. Lenormant understands that Egypt regarded Israel its vassal even during David's and Solomon's reign.

<sup>3</sup> Remarkable, however, is the treaty of alliance, commerce, and extradition, which Ramessou II struck with the Kheta [Hittite] king: '*If an enemy march against the lands of the great king of Egypt and he shall send word to the great prince of Kheta, Come, bring me forces against them, the great prince of Kheta shall do so: the great prince of Kheta shall destroy those enemies. If the great prince of Kheta prefer not to come in person he shall send archers and war-chariots to destroy them.*' Then follows a clause promising in like manner Egypt's aid, in case of need, to the Kheta. Extradition of criminals is to prevail, also of all other fugitives, though mere self-expatriation is not to be treated as a crime. — Maspero, 223. This is the world's most ancient diplomatic document, and one of the most precious historical sources which all antiquity has left us. Its text stands chiselled in the Karnak stones.

<sup>4</sup> Rawlinson, *Man.*, 90 sq.

<sup>5</sup> In early Latin a single word (*hostis*) denoted both 'stranger' and 'enemy.' The Greeks called all foreigners 'barbarians.' The Egyptians applied 'stupid' in the same way. 'Aryans' looked upon themselves as 'the excellent.' The Chinese dubbed their empire 'central' and 'celestial.' Israel viewed itself as the elect of God. The very word 'slave,' which acquired its modern meaning from the large numbers of the Slavic race reduced to slavery, originally meant 'glorious.'

<sup>6</sup> Carthage was an aristocracy, and guarded in the most sedulous manner against a dangerous degree of individual power. It brought this spirit from Phœnicia, yet it seems that the little confederated city-states here allowed some political power to popular assemblies. Perhaps the gerusiasts at Carthage too were popularly elected. — Mommsen, *Rome*, II, 23 sqq. The immediate Phœnician colonies were free, but not those of Carthage. — Ranke, *Weltgesch.*, Th. I, xii.

<sup>7</sup> Max Müller, *Buddhist Charity*, No. Am. Rev., Vol. 140.

## § 12 INTELLIGENCE

*Kaegi*, *Rigveda*. *Lenormant*, II, ii, §§ 2, 3; iii, §§ 3, 5. *Max Müller*, *Introd.* to *Sacred Books of the East*. 'Records of the Past.'

The *intensive* intelligence of Antiquity we shall scarcely overestimate. Deep philosophy nearly everywhere underlies the popular religion.<sup>1</sup> Literature abounds, in India early, in Egypt very early. But for the frailty of the tablets bearing it, Assyrian could hardly be less voluminous. Under the xiith Egyptian dynasty literature is a profession by itself.<sup>2</sup> Many pieces out of these primeval letters betray keen reflection.<sup>3</sup> The proverbs of Papyrus 'Prisse' recall Solomon's.<sup>4</sup> Certain Vedic hymns and chapters from the Egyptian classics are worthy of any age.<sup>5</sup> Egyptians and Chaldeans both made careful astronomical observations, which are still of value.<sup>7</sup> The great pyramids exactly face the points of compass. The same mathematical precision marks the arrangement of Assyrian

temples. From Assyria has come the oldest human institution, the week, with its days, hours and minutes.<sup>6</sup> Chaldean knowledge of square numbers,<sup>7</sup> fractional as well as integral, seems to be older than Nineveh. Chaldean priests understood the precession of the equinoxes and reckoned it with great, though not absolute, precision. They acquainted India with grammar and the zodiac, its signs, minutes and seconds; India them with algebra and the decimal notation. Nearly all the fine as well as the mechanic arts proceeded from these ancient men, and in some of them they produced effects never equalled since. China discovered gunpowder, the compass,<sup>8</sup> and a kind of printing; India, steel-making; Babylon, enamelling and encaustic painting. *Extensively*, intelligence so early was incomparably inferior to modern, yet it was considerably diffused.

<sup>1</sup> See § 16.

<sup>2</sup> See § 15, n. 1. Doubtless many Assyrian records have perished with the artificial stone on which they were written.

<sup>3</sup> 'A good man is not envious, but well disposed to another even while ill-treated by him; like the sandal-tree, which, even when felling, imparts to the axe its aroma.'—Hindoo poem. 'Let not sin after sin, hard to conquer, overcome us. Let sin and lust depart.'—Rigveda. 'The rebellious sees knowledge in ignorance, virtues in vices; what sages know to be death, that to him is life day by day.' Papyrus Prisse.

<sup>4</sup> 'Good luck makes every place good; a little check may suffice to cast down a very great man. Felicitous speech excels for lustre the emerald that slaves' hands find among pebbles. The wise man receives satisfaction from what he knows; his heart is in the right place, pleasant are his lips.' Papyrus Prisse, oldest part. Cf. last n.; Lenorm., *Hist. anc.*, II, ii, 2 and 3; Mahaffy, *Prolegomena*, Pt. ii.

<sup>5</sup> For point, sense or even beauty, nothing yet translated from the Vedas can compare with our best pieces from Old Egypt.

<sup>6</sup> Sixty was a favorite factor and divisor with these priests, for the reason, Max Müller thinks, that it is the greatest multiple-number. How

permanent! 'The French Revolution destroyed all else but the dials of our watches.'

<sup>7</sup> Here is a copy, in Arabic figures, of a table which Loftus found at Senkereh in 1854:—

SQUARES.		'SOSSES.'		UNITS.	SQUARES.		'SOSSES.'		UNITS.
51 <sup>2</sup>	=	43	+	21	56 <sup>2</sup>	=	52	+	16
52 <sup>2</sup>	=	45	+	4	57 <sup>2</sup>	=	54	+	9
53 <sup>2</sup>	=	46	+	49	58 <sup>2</sup>	=	56	+	4
54 <sup>2</sup>	=	48	+	36	59 <sup>2</sup>	=	58	+	1
55 <sup>2</sup>	=	50	+	25	60 <sup>2</sup>	=	60		

A 'soss' was 60 units. The table reads: the square of 51 is equal to 43 'sosses' [43 times 60] plus 21 units, etc. 'Quite similar tables exist upon the times for the rising of Venus, Jupiter and Mars, as well as calendars of the phases of the moon from day to day for the entire month. They had determined the moon's mean daily course, and succeeded, by knowledge of a continuous series of 223 of its changes, in predicting its eclipses. The earliest which we know to have been computed by them is that of March 30, 721 B.C., and their reckoning varies but a few minutes from ours. Sun-eclipses they did not predict but most carefully observed, e.g., those of July 2, 930, and July 13, 809, B.C.'—Mürdter, *Gesch. Babyloniens u. Assyriens*. They knew and reduced to practice one of the chief elements of the metric system,—that of deriving all measures of length, superficies, solids and weight to one and the same linear unit. Mommsen, *Rome*, I, 273, is of opinion that the Babylonian blending of the duodecimal and the decimal notation arose from notice of solar along with lunar months. Ten solar cycles would nearly equal twelve lunar. Geometry of a primitive kind was familiar to the Egyptians. Also see § 4, n. 6.

<sup>8</sup> See Humboldt, *Cosmos*, Vol. II, for the main facts in the h. of the compass. The oldest bridge of which there is record spanned the Euphrates at Babylon. The Egyptians were great in anatomy and medicine.

## § 13 WRITING

*Maspero*, ch. xv. *Tylor*, *Anthrop.*, ch. vii. 'Hieroglyphics' in *Encyc. Brit.* *Carl Abel*, *Linguistic Essays*, ix and x. *Isaac Taylor*, *The Alphabet.* *Mahaffy*, *Proleg.*, 103 sqq.

Writing everywhere began with pictures.<sup>1</sup> Its stages were, (1) ideography direct, (2) ideography<sup>2</sup> symbolic, (3) phonography syllabic, (4) phonography alphabetic, alphabetic writing as we have it now. Ideographic symbols are either simple or complex. The simple may be formed through synecdoche, metonymy, metaphor or enigma. Complex are combinations of simple. Ideography was a very inadequate means of expressing thought. Syllabic phonography arose through associating the ideogram with the sound, or congeries of sounds, constituting the name of its object.<sup>3</sup> Ideographic values of characters passed into sound-values. With monosyllabic languages this ended the process, but some polysyllabic ones found means to represent each several syllable by itself. This was effected by attaching the character for a whole word to its first syllable alone. The Assyrian cuneiform script represents this syllabic stage. The next step consisted in decomposing syllables and finding signs for each vowel and consonant. The Egyptian writing — hieroglyphic, hieratic, or demotic, according as it was less or more cursive and abridged — employed together ideograms, and both syllabic and alphabetic phonograms. The Phœnicians perfected rather than invented alphabetic writing, as their alphabet was derived from the cursive Egyptian.<sup>4</sup> From the Phœnician have sprung all the other alphabets in the world.<sup>5</sup>

<sup>1</sup> True of the German runes, which at first were not letters at all.

<sup>2</sup> *Ideography direct* would be illustrated by writing the picture of an

ox for the idea of ox; *id. symbolic* by using the same picture, or the picture of an elephant, to denote *strength*. This would also illustrate the *metonymic* formation of simple symbols, as would also any picturing of cause for effect: the sun or a lamp, for *light*, etc. *Synecdoche* presents a part for the whole, as the head for the entire animal. *Metaphor* is used when the figure of an eagle is sketched to denote royalty. *Enigma* is the same as metaphor, save that the resemblance, instead of being natural, subsists only in and through some mystic Egyptian belief.

<sup>3</sup> In phonography the mind leaves out of account the *thing* represented by the sign, passing directly, through association, from *sign* to *sound*, a process which rebus poorly imitates. So far the Egyptians had gone. The Phoenicians went further, and [e.g.] instead of sketching a donkey or donkey's head or ear to spell 'donkey,' used some one of these signs to spell 'don,' and [we will say] the picture of a key for the other syllable, 'key.' Alphabetic writing was reached when the first sign had become still further specialized so as to signify only 'd,' other signs being used for 'o' and the remaining letters. Cuneiform writing would seem to have been an invention hardly less wonderful, so early, than alphabetic. See Schrader, *Keilinschriften u. d. Alte Testament*, in which Professor Haupt has an *excursus* on the cuneiform story of the deluge.

<sup>4</sup> Probably through the Hycsos. See § 7, n. 9. The Semites did not introduce vowels. This was done independently of one another by the Greeks and the Hindoos. 'In every letter we trace lies the mummy of an Egyptian hieroglyphic.'

<sup>5</sup> On derivation of the alphabets of India from Babylon, Burnell, in Academy, June 17, 1882. Writing from right to left, as in Hebrew, is not the oldest fashion. The Papyrus Prisse reads as English, which seems to have been the earliest, yielding here and there to the 'boustrophedon' form, from right to left and then back, as in ploughing, the left-handed being a remnant of this.

## § 14 ART

*Perrot and Chipiez*, Ancient Art. Winckelmann, do. *Rawlinson*, Man., 27 sqq.  
*Rassam*, Babylonian Cities. *Mitchell*, Anc. Sculpture, i-viii.

Ancient art had four independent centres<sup>1</sup> of origin, Egypt, Chaldea, India, and China. Chinese art is ancient but unimportant. Hindoo, consisting of architecture only, arose later and was remarkable

merely for the bizarre and gigantic character of its products.<sup>2</sup> Egyptian art, existing only to serve religion, not for its own sake, could not attain modern measures of perfection. Here, as in all the most ancient seats of art, painting and sculpture were subordinate to architecture. Mechanical details had been thoroughly mastered, as appears from the number and the good preservation of remains. Colors are bright and pillars solid after fifty centuries. There were two periods, a realistic, and a later one in which art wrought with canons and models of its own.<sup>3</sup> The thoughts of immensity and repose rule in both. Chaldean art is more practical.<sup>4</sup> As to architecture, note the materials,<sup>5</sup> the terrace, the story-tower. The Assyrians prosecuted painting but little,<sup>6</sup> and chiefly to aid the relief of statues. In encaustic painting the Babylonians greatly excelled. In sculpture alone did Assyria surpass Babylon. The Assyrian sculptors were realists, 'the Dutchmen of antiquity.' In reproducing inanimate forms they have never been outdone, in that of animal, hardly equalled. In perspective they failed, unwilling to sacrifice any one projection to another. To the genius of Assyrian engravers in stone we are indebted for the preservation of the people's literature. The Persians, like the Jews and Phœnicians, copied Assyrian sculpture, as they did Assyrian writing. Persian architecture imitated the Hindoo more.

<sup>1</sup> On the derivation of classical art from the East, see § 19.

<sup>2</sup> But wood-carving early attained excellence in both China and India. The Hindoos, one has said, had no genius but patience. Equally true of the Chinese.

<sup>3</sup> The naturalistic period was under the Old Kingdom, the independent

development under the New. In this, extraordinary skill was attained in subordinating the natural in animal forms to the ideal. The lions from Gebel Barkal in the British Museum are thought to be the finest extant examples of the idealization of animal forms.

<sup>4</sup> The greatest structures in the Euphrates Valley were for defence, like city walls of colossal height and width, or for aid in observing the heavens, as the terraces and those towers with several stories each. Alexander found at Babylon a Belus-temple, eight stories high. The oldest Egyptian writing is a tribute of homage to the immortal soul; one of the oldest cuneiform documents is a business contract. Walls of Assyrian buildings were thick but hollow, serving economy and guarding admirably against extremes of heat and cold.

<sup>5</sup> Brick or artificial stone, sun-dried or burned. From Nineveh southward the land contained no natural stone. The Babylonian bricks were far superior to the Assyrian. Each brick had on its under side as laid in the wall a legend, which, in public buildings, contained the name of the king reigning at the time of construction. If all the bricks in a discovered wall bear the same legend, the wall is known to be original, not made of bricks from an earlier time. Some pillars and roofs were of wood, but the Mesopotamians knew and used the principles of vaulting and arching. Wooden pillars were occasionally gilded or silvered. Assyrian art-development was at its finest in the 7th century B.C., under Sargon, Sennacherib and Sardanapalus VI.

<sup>6</sup> Painting is the department of antique art of which our knowledge is most defective.

## § 15 INDUSTRIAL CONDITION

*Huet, Commerce et Navigation des anciens*, i-xv. *Rawlinson, Man.*, 29 sqq., 80 sqq. *Grote*, II, xix. *Osgood, Prehistoric Commerce*, Baptist Quar. Rev., 1885.

By B.C. 1000 in all the great centres of civilization, in Egypt<sup>1</sup> far earlier, society was thoroughly organized industrially. Wealth and luxury abounded. Division of labor prevailed. Agriculture and the industrial arts were everywhere extremely well advanced. Egypt and Babylonia contained each an elaborate system of canals for irrigation. Weaving, iron-working and most other ordinary forms of skilled labor were carried on in all

civilized lands.<sup>2</sup> Commerce thrived. Babylon was a city of merchants.<sup>3</sup> Phœnician sails whitened the Persian Gulf, the Red Sea, the Mediterranean, and even the Atlantic coasts of Africa and Europe.<sup>4</sup> Tin from Cornwall and the Scilly Isles was exchanged for the gold of Ophir and the silks of India. Immense caravans for inland commerce connected the Mediterranean with the Euphrates and Tigris, and these with the Indus<sup>5</sup> and with China. Yet in spite of this enormous productive activity, the bulk of the population, immense in each land, was in deep poverty, caused partly by tyranny, partly by ignorance and disregard of economic laws. Eminent evils economically were (1) slavery, (2) caste, (3) the idleness and prodigality of the upper classes, (4) wars, gigantic, perpetual, truceless, annihilating capital as well as men.

<sup>1</sup> See Lenorm., II, 123 sqq., also Maspero, 123, for the document from the time of dynasty xii, wherein a scribe, urging his son to take up the same calling, enumerates the infelicities attaching to each of the several trades.

<sup>2</sup> See § 12. It is believed that the Egyptian linen-manufacture has for quality never been surpassed.

<sup>3</sup> Curious and useful animals were imported thither from the remotest lands. Both silver and gold were used as money, at the value-relation of 13 or 13.5 to 1. The Chaldean account of the flood calls the ark a ship and gives it a pilot.

<sup>4</sup> So far as known only Phœnician or Carthaginian ships visited the Scilly Islands, but the Greeks of Marseilles obtained tin thence overland. The Phœnicians had founded Gades [modern Cadiz] before the dawn of Greek history. The plants for the incense so common in Egypt must have come from as far at least as the mouth of the Red Sea. Also the cassia, cinnamon and sweet calamus required for the holy anointing oil of the Mosaic law [Exodus xxx] were not obtainable nearer than Ceylon or India. — Osgood.

<sup>5</sup> Either northward, by the Khyber Pass, or southward, by the Bolan. The route to China left Northern Persia. All along this, and westward,

south of the Caspian and Black Seas even to the extreme west of Europe have been found antique specimens of jade, which must have come in prehistoric times from China or Burma, where are the only known mines of this stone in the world. — Osgood. The Old Persians were the first to use a postal or a telegraph [by signs] system. They also had topographical maps and magnificent roads, with sign-posts and wayside inns.

## § 16 RELIGION

*Monier Williams*, *Relig. of Zoroaster*, Nineteenth Century, Vol. IX. *Hoare*, *Relig. of Anc. Egyptians*, *ibid.*, Vol. IV. 'Religions,' in *Encyc. Brit.* [names the best literature]. *Rawlinson*, *Religions of the Ancient World*. *Caird*, *Faiths of the World*. *Rhys Davids*, *Origin and Development of Religious Belief*. *Keary*, *Primitive Belief*.

Asia is the land of religion, as Europe of politics. All antiquity save China was priest-ridden. Learning was a purely priestly affair. Nearly every ancient religion was a popular polytheism with an underlying monism,<sup>1</sup> either theistic or atheistic. Thoughtful persons conceived sun, animal or idol, as a mere symbol or manifestation of Deity, the ignorant as Deity itself. The most common such symbol was the sun,<sup>2</sup> and worship of the sun, or of light, was almost universal. Coupled with the sun-god was usually some deification of the renewing, generating, fructifying principle in nature. The world was expounded more as an emanation than as a creation proper.<sup>3</sup> The tendency was to separate religion from morality. Zoroastrianism, often considered a dualistic system, was in fact the best heathen specimen of theistic monism,<sup>4</sup> as Buddhism was of atheistic. Zoroaster, thinking of God as Light, is naturally an optimist; Buddha, judging the First Cause to be unknowable and dark, cannot but champion pessimism.<sup>5</sup> Confucianism, more ethical than theological, declares for neither of these views; the Egyptian religion in different species of its utterances, for both.<sup>6</sup>

<sup>1</sup> Monism is any doctrine which derives the world ultimately from some single principle.

<sup>2</sup> See 'Religions' in Encyc. Brit.

<sup>3</sup> I.e., a creation out of nothing. Note the difference between the idea of emanation, lower forms of being ever proceeding from higher, and the modern notion of evolution, according to which higher forms issue from lower.

<sup>4</sup> The evil principle was not conceived as coëternal with the good.

<sup>5</sup> Ultimate being, the *causa sui* and the first cause of all other being, must inevitably furnish the standard for judging the worth of all finite existences. If spirit, consciousness, personality, is regarded as first cause, then life, the increase of our powers, our development in reason, will seem good and desirable. If on the contrary the central essence of the universe is unconscious, thought-life and the growth of personality in general cannot but appear evil and deplorable.

<sup>6</sup> Monotheism and belief in immortality were basal elements in the Egyptian faith, both clearly visible already in the 'Prisse'; but the Egyptian animal-cult and deep regard for the human body most naturally connect themselves with the East-Asiatic view that normal being is the reverse of spiritual. Cats, dogs, cows, crocodiles and other animals were worshipped. Herodotus declares that at a fire the Egyptians were more anxious to save the cats than to quench the flames. He takes [II, 123] belief in immortality and in transmigration to have originated in Egypt.

## § 17 THE MOSAIC FAITH

*Isaiah*, ch. xli, xliv. *Psalms* cxv. *Jeremiah*, x. Old Testament, *passim*.  
*Letsa, Mik.*, VII, v.

With all contemporary religions, that of Israel stood in marvellous contrast, — spiritual, yet exoteric and popular. Here, by the eighth century B.C., common people are emphatic monotheists, and their faith tolerates no pantheistic or polytheistic phasis.<sup>1</sup> Theirs is one God at surface as at basis, a spirit, free from subdivision, sex, or confusion with his universe. Idols cannot help men conceive him. Nature is his work, through creation, not emanation; its laws, forms of his eternal voli-

tion. The thunder is his voice, the sunshine his smile, the hail-storm the stroke of his awful rod ; but these never assume independent potency. Jehovah has no second, has no equal. He is personal, moral, knowable. 'Clouds and darkness' are 'round about him,' but 'he clothes himself with light,' and 'justice and judgment are the habitation of his throne.' Thus the religion is ethical and optimistic, and contains the germ of a rational doctrine of immortality.<sup>2</sup>

<sup>1</sup> That the oldest parts of the Old Testament contain forms of expression indicative of the lingering influence of nature-religion, even increases our wonder at the perfect monotheism of the prophets. Cf. Duhm, *Theologie der Propheten*.

<sup>2</sup> All this in the way indicated at last §, n. 5.

## § 18 MORALITY

*Hegel*, Philos. of Hist., 117 sqq., 154 sqq. *Flint*, do., in France and Germany, Int. *Lenormant*, preface to *Hist. anc.*

1 A generic, vital defect in ancient morality was its external, mechanical character. Instead of being cognized and obeyed as rational, moral law was viewed as being merely imposed upon the agent by foreign authority.<sup>1</sup> Herein Buddhism is no exception, the 'peace' it proclaimed having nowise the character of moral rightness.<sup>2</sup> 2 Another lack was non-recognition of mankind's unity.<sup>3</sup> Hence, (a) caste : in India an iron system, in Egypt less rigid, elsewhere only incipient, (b) terrible cruelty in war and toward slaves and prisoners. In this the Assyrians were the worst. On the contrary, early Buddhism, to which all praise, antagonized this entire spirit of caste and separateness. 3 Non-belief in human unity forbade the thought of human progress, which was

also, like optimism at large, hindered by dimness in the conception of divine unity.<sup>4</sup> Man perfectible, history purposive, humanity a single thing including all epochs, races, and classes, — such ideas were wholly unknown to paganism, and are due almost solely to the gospel. 4 Antiquity failed to regard the human individual as of independent worth. Hence polygamy, low estimate of woman, infanticide, prodigious slaughter in wars and the oppression and passivity of the multitude. In the old Orient, literature has no word of freedom, life little moral heroism or struggle.

<sup>1</sup> Lotze, *Mit.*, VII, v. Max Müller, *Contemp. Rev.*, November, 1882, defends the Hindoos as truthful, much as has been alleged to the contrary.

<sup>2</sup> See C. H. Dall, *Unitarian Rev.*, 1882.

<sup>3</sup> Lotze, *Mit.*, VII, iv. The thought of two radically different kinds of men, *ψυχικοί* and *πνευματικοί*, which figures so largely in Gnostic and even Christian Alexandrian writings, seems to have been the residuum of Egyptian caste-sentiment.

<sup>4</sup> So far as belief in a single Supreme Being was wanting, unity would not be assigned to the world or to mankind; and belief in progress for the genus could not possibly arise while the universe was thought of as manifold, or men as constituting various kinds.

## § 19 CONTRIBUTION TO THE WEST

*Grote*, Pt. II, ii, III, xxi. *Curtius*, I, ii. *Zeller*, *Greek Philos.*, Int., ch. ii. *K. F. Hermann*, *Kulturgesch. d. Griechen u. Römer*, 39 sqq. *Milchhöfer*, *Anfänge d. Kunst in Griechenland*. *Max Müller*, *Contemp. Rev.*, Oct., 1882.

It is obvious that the East must have been to a great extent the instructor of Greece and Rome.<sup>1</sup> Such influence would naturally be in the main impalpable, leaving no registry in specific institutions. Yet much that is specific can be traced, especially at two periods, the beginning and the close of Greek life. Old Attic religion and social structure show Egyptian traits. The

Grecian calendar was of Egyptian origin. Pythagoras, Thales, Solon, Democritus and Plato learned of Egyptian priests.<sup>2</sup> The earliest Greek coins were Lydian,<sup>3</sup> weights and measures Babylonian. The Greeks became acquainted with navigation, also with several of their deities, from the Phœnicians.<sup>4</sup> Still another source of their religion was Phrygia, whose language too, greatly resembled Greek. The alphabets of the Greeks and of the Italian peoples originated in the Phœnician, their art in the Assyrian. 'The Assyrian influence spread throughout Asia Minor, the Mediterranean Isles and Greece. The first Greek sculpture received its inspiration, precepts and models from the Assyrian school. Through colonists and commerce the same tradition passed from Asia Minor, Phœnicia and Carthage into Italy, where it served as basis for the development of the Etruscan civilization, which furnished to that of Rome the elements of its primitive grandeur.'<sup>5</sup> As to the second of the periods named, all later Greek philosophy had a distinct oriental cast.<sup>6</sup> New-Platonism originated in Alexandria, under Asiatic influence, and was more than a century old before it flourished at Athens.

<sup>1</sup> This in no sense compromises Greek originality. 'It is no less a fact of history that the Greeks derived conceptions from India, Syria and Egypt than that the Greek conceptions are peculiar to themselves and those others alien.' — Hegel. The greatest mere classical historians slight the East, needing to be corrected by Duncker and Lenormant. At this point Grote can learn from Thirlwall. Thiersch, *Epochen d. bildenden Kunst unter den Griechen*, 1816 sqq., argued strongest for Egyptian and Phœnician inf. on early Greek art; K. O. Müller, *Handb. d. Archæologie*, strongest against. The text might also mention the historical, geographical, ethnological and other knowledge which came to Greece in conseq. of Alexander's campaigns, and so enriches Aristotle's writings.

<sup>2</sup> Democritus and Plato probably visited Egypt; perhaps Pythagoras too, but this is more doubtful. Plato learned much there, but his myths rather than his philosophy. Curtius agrees with Grote in somewhat minimizing Egyptian influence in Greece, neither one basing aught upon the traditions touching Cecrops and Danaus, or upon the statements of Herodotus II, identifying Demeter with Isis, and so on. Little as we can implicitly trust Herodotus when off the track of his personal explorations, the advance of Egyptology renders most of his representations in this matter increasingly credible. Cf. § 3. For latest criticism of Herodotus, Sayce, *pref. to Anc't Empires of East*. There was virtual caste in early Athens.—Rawlinson, *Man.*, 120. Athena and Neith were perhaps the same. Notice that Eastern Greece had the earliest and always the richest civilization.

<sup>3</sup> Lydia and Persia alone among nations west of the Indus coined money in high antiquity. They applied Babylonian monetary ideas. In the talent of 60 minae and the mina of 60 shekels we see the Babylonian sexagesimal principle. The shekel was, in Greek, the stater or the Daric. The word 'mina' is of Chaldean origin. Through Pheidon of Argos, who introduced weights and measures in Greece and was the first Greek to coin money, this Asiatic norm of weights and measures passed to Greece, known there as the Eginetan, because the earliest Greek coins were struck in Egina. The Euboean system, prevalent in Athens and the Ionian cities, was made up in the same way as the Eginetan. Both were in use in the Persian Empire, as well as in Greece. Eginetan measures were to Euboean or old Attic as 6 to 5, to Solon's or later Attic as 5 to 3.—Boeckh, *Metrologische Untersuchungen*. Pheidon usurped the presidency of the Olympian games in the 28th Olympiad, not in the 8th, as Pausanias, VI, 22, 2, has till recently been read. He must have flourished about 700–660 B.C.

<sup>4</sup> Aphrodite, Artemis, Poseidon, also Heracles. Melcart, god of Tyre, is Melicertes [Palaemon], deified on the Corinthian Isthmus. He was son of Ino, daughter of Cadmus, the bringer of letters to Greece.

<sup>5</sup> Lenormant. Cf. Grote III, xix; Mommsen, I, xv. Thus are to be explained those monuments and that luxury and wealth of the Etruscan cities which so long whetted the fierce greed of the Romans. The very name 'Italy' is probably Phœnician, as is 'Salamis,' founded by Phœnicians. The Romans learned arching and vaulting from the Etruscans, who probably derived them from Egypt through Phœnicia and Carthage. Mommsen, however, traces them from Italy to Greece. It is generally conceded that Grecian art owed little to Egypt directly, but much more to Assyria.

<sup>6</sup> Helping that tendency to mysticism and mythologizing which Grote says, III, xxi, ruined so many speculative minds among the Greeks. Mysticism and theosophy were main traits of New-Platonism. The same eastern influence appeared in the Mithras-worship, which pervaded the Roman empire. It was known even in Britain, carried thither by Roman soldiers.



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## CHAPTER III

### THE CLASSICAL PERIOD

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#### § 1 CHARACTER OF CLASSICAL CULTURE

*Lotze, Mikrokosmos, VII, v.*

THE civilization sketched in the preceding Chapter seemed fated not to pass a certain grade of development. For this and other reasons its influence upon modern times, however real, has been, save that of the Jewish religion, indirect and inappreciable. The culture of Greece and Rome, on the other hand, had supreme genius for growth and movement, foreordaining it to endure and to rule the future. Through these immortal peoples civilization reached a totally new character: a loftier level, a richer diversity. In particular, Art, Philosophy, Administration, Law and Religion assumed during the classical period, forms which almost promised to be final. As coöperating to give character to this new order of ages we may distinguish four groups of elements: Oriental,<sup>1</sup> Grecian, Roman, Christian. Barring the German, these are the sole storehouses out of which the modern thought-world has received its stock.

<sup>1</sup> For the debt of the classical age to the Orient, see Ch. II, § 19.

## § 2 GREECE: EXALTATION OF MIND

*Freeman*, Chief Periods, 1 sq. *Hegel*, Philos. of Hist., Pt. II. *Schlegel*, do., ch. viii. *Ranke*, *Weltgesch.*, Theil I, vii. *Zeller*, Greek Philos., Int.

The leading characteristics of the Greeks, their chief glory, lending a wholly matchless excellence to their history and literature as culture-studies, were fearless inquisitiveness and intense devotion to ideals. To them thought was greater than things. Here at length ultimate being no less than visible nature is regarded knowable. If the world is viewed as constituting an objective and steadfast order, thinking is not awed and dismayed by it as in Asia. Brutes no longer receive worship, either as deities or as symbols of them. The ancient Pelasgi, so early, like the Germans and Persians, adored the supreme God without images or temples. In Greece, individuality,<sup>1</sup> moral life and struggle rise into prominence: great statesmen, orators, generals, fine, strong, personal characters, tower above the multitude. No other national career has ever been so brief and brilliant at once. 'Absolute despotism, human sacrifices, polygamy, deliberate mutilation of the person as a punishment, and the selling of children into slavery, existed in some part or other of the barbarian world, but are not found in any city of Greece in historical times.' To this noble race belonged the first examples in history, of states at the same time civilized and free.<sup>2</sup> Greece prized the individual man, exalting him duly as against nature, if not yet enough as against the state.

<sup>1</sup> The Greeks like the Germans tended to individualism, the Romans to union. It was their individualistic spirit, become unduly developed, which made Greece the prey, first of Macedon, then of Rome. Mommsen, Rome.

I, ch. ii, at end, instructively discusses the differences between the Greek and the Roman nature, so striking in view of the fact that the two peoples were originally one.

\* The 'Eternal Eastern Question,' Europe against Asia: spirit, man, against nature, force, numbers, which still agitates the Balkan Peninsula, was, it is not fanciful to say, the subject of the Trojan War. It recurred in the Persian Wars, the Punic Wars, the Crusades, at Lepanto, at Inkerman. Cf. Freeman, as above, Lect. I, and Contemp. Rev., May, 1884.

### § 3 ORGANIZED INTELLIGENCE

*Lotze*, as at § 1. *Adam Smith*, *Wealth of Nations*, V, i. *Merivale*, ch. xxii.

In Greece thought first assumed system, struck deep roots, began to grasp problems with consciousness.<sup>1</sup> At no other time has the human mind come so near the exertion of its supreme energy as in Attica during and just after the age of Pericles.<sup>2</sup> Later too, as the political power of Athens waned, her supremacy in the republic of letters waxed for centuries more and more perfect and conspicuous.<sup>3</sup> Among the Greeks, general literature, history, oratory, the drama, in a word the world's settled intellectual life, had their beginnings. So of systematic education, schools,<sup>4</sup> etc.: the Romans received these from Greece, and we, through the middle age, from them. Even in Rome's brightest day all her best literature and intellectual activity took their shape and inspiration in great degree from Hellas. Each succeeding age, our own included, has been under a similar debt.<sup>5</sup>

<sup>1</sup> 'However much knowledge, skill and wisdom, as shown in maxims, earlier nations may have had and employed in the regulation of social relations and in systematic art, the thought of seeking out the very grounds and bases of our judgment of things, and of combining them demonstratively and deductively in a system of truths, the foundation, in fact, of science, will forever remain the glory of the Greeks.' — *Lotze*.

<sup>2</sup> Aeschylus [525-456], Sophocles [496-405], Euripides [480-406], Aristophanes [444-380], Herodotus [484-424], Thucydides [471-396], Phidias [490-432], Ictinus, Callicrates, Mnesicles [these three contemp. with Pericles], Polygnotus [contemp. with Phidias], Socrates [469-399], Zeno, Anaxagoras, Protagoras, Plato [429-347]. We prefer still, with Ranke, against Freeman, to latinize Greek names.

<sup>3</sup> Thus the early bishops of Rome were for three centuries mainly of Greek extraction. Their church, and most of the other churches in the West were Greek religious colonies, their language, organization, writers, scriptures and liturgy being Greek. — Milman, *Lat. Ch'ty*, Vol. I, 54. Novatian, about 250, is the first Roman clergyman known to have written in Latin, though possibly Victor, about 200, may have done so.

<sup>4</sup> For the propagation of systematic education from the classic to the middle age we owe hardly less to Boethius [470-574] and Cassiodorus [480-575] at the court of Theodoric than to Alcuin and his colleagues at that of Karl the Great. Cf. *Ch. V*, § 9.

<sup>5</sup> 'If their language is dead, yet the literature it enshrines is rammed with life as perhaps no other writing, except Shakespeare's. . . Oblivion looks in the face of the Grecian Muse only to forget her errand.' — Lowell.

#### § 4 PHILOSOPHY

Zeller, as at § 2. *Ueberweg*, *Hist. of Philos.*, I. *Schulze*, *Philos. der Renaissance*. *Hefele*, *Councils*, I.

This as an orderly discipline owes its very birth to the Greeks, to their daring quest for truth mentioned above. The evolution of Greek metaphysical thinking comprises three movements, (1) the *materialistic*, Thales,<sup>1</sup> Heraclitus, Empedocles, Democritus, (2) the *idealistic* or Eleatic-Socratic, culminating in Platonism, (3) the *Aristotelian*, a combination, in a way the reconciliation, of the first two. If in its moral aspect we classify New-Platonism as oriental, Greek ethical philosophizing reduces to Stoicism and Epicureanism, two antagonistic doctrines still at war to-day. These great schools long outlasted Greece. From the time of the Antonines till

silenced by Justinian's edict,<sup>2</sup> 529, an unbroken line of philosophers: Platonists, Peripatetics, Stoics and Epicureans, taught in Athens at public cost. The influence of their doctrines was absorbed rather than destroyed by the prevalence of Christianity. Stoicism spread westward, passing into Roman law and Christian life; Platonism, tinged now with theosophy, loved the East, affecting Christian doctrine and discussion more. Three great conceptions peculiar to Platonism are present in the Nicene creed.<sup>3</sup> In the middle age, Aristotle, as 'the philosopher,' exercised prodigious and incredible influence,<sup>4</sup> lessened toward the Renaissance by the rising popularity of Plato. Even now, no deep philosopheme can be thoroughly handled without recurring to the thoughts of these incomparable masters.

<sup>1</sup> Not an accident that Greek materialism had its origin and chief seat in *Asia*. Cf. § 3.

<sup>2</sup> Proclus, 412-483 A.D., lived and taught at Athens. His pupils, Isidorus, Damascius and Simplicius were the last ancient public teachers of heathen philosophy. When Justinian, lusting for the revenues, closed the Athenian schools, they fled to Persia, subsequently returning, but never teaching again. All three died in obscurity. — Gibbon, IV, 108 sqq.

<sup>3</sup> Arius used Plato's world-soul as schema for the Logos or second person of the Trinity; Athanasius, Plato's supreme 'Good.' The Sabellian undertone of the creed echoes the attribute-hypostasizing utterances of New-Platonism, so often heard in Philo. Cf. Gibbon, II, 215 sqq.; Bright, Notes on Canons of First Four Gen'l Councils; also *Richey*, Nicene Creed and the *Filioque*. The Greek fathers freely referred to Plato as an authority on the Trinity, the two natures of Christ and the unity of mankind. Justin Martyr calls Plato a Christian. Athenagoras sees in the doctrines of the philosophers and especially of Plato, the activity of the divine Logos. Augustine admits that the New-Platonists, though without revelation, possess the doctrine of the Trinity.

<sup>4</sup> When the Jesuit, Scheiner, contemporary with Galileo in observing the spots on the sun, made known his discovery to his provincial superior,

the latter refused to believe in the spots or even to look through the telescope, saying that he had read Aristotle through many times without finding aught like what Scheiner mentioned. This distemper Hobbes called 'Aristoteliety.' — Bisset, *Essays on Hist'l Truth*, 79.

## § 5 ART

*Reber*, *Hist. of Ancient Art*, do. of *Medieval Art*. *Woltmann and Woermann*, *Hist. of Painting*. *Overbeck*, *Gesch. d. griechischen Plastik*. *Perrot and Chézy*, *Ancient Art*. 'Archæology' in *Encyc. Brit.* *Mitchell*, *Ancient Sculpture*, x-xxvi.

The Greeks surpassed all other peoples in the keenness and discipline of their sense of beauty. This was a radical trait, one of those through which they have most influenced subsequent ages. All classical art was essentially Greek, whether originating in Rome, Magna Græcia or Etruria, though early Etruscan betrays marked oriental influence. No proper Roman school or Christian school ever rose.<sup>1</sup> Under Augustus, under Hadrian even, few other than Greek artists wrought, none but Greek models and traditions were followed. While in *Painting* we have no easel pictures, and from the greatest artists no works whatever, innumerable mosaics, wall decorations, vases, etc.,<sup>2</sup> where imitators have endlessly repeated the old masterpieces, justify the fame of Polygnotus, Zeuxis, Apelles and the rest. Leading characteristics of this old painting were (*a*) beauty of forms, especially of human, (*b*) diversity of subject, (*c*) fineness and grandeur of conception, (*d*) economy and simplicity of means in producing intended effects, (*e*) poverty in execution relatively to excellence of conception. Doubtless the last is truer of extant specimens than of their originals. In the other departments of antique art we are more fortunate, possessing the

richest variety and number of original specimens, evidently from the best, some of them as yet unsurpassed if not absolutely perfect.<sup>3</sup> All that Greek *Sculpture*, in comparison, e.g., with Michel Angelo's, lost in power through negligence of anatomy, it gained in grace by diligent and practised notice of living forms. The great Greek styles of *Architecture*, Doric, Ionic, Corinthian, have never been superseded or improved. Along with changes in minor elements, the principles, proportions and general form of all fine buildings since, Gothic included, have reproduced the classic tradition. Even departure from the antique in details, taste has twice, at the Renaissance and again at the close of the last century, emphatically condemned, commanding return to classic models.

<sup>1</sup> On the lack of art taste in the Romans proper, Friedländer, *Sittengesch. Roms*, Th. II, 103, III, 105 sq. The same author has also a brochure, *Ueber den Kunstsinne der Römer in der Kaiserzeit*, which evoked a reply with similar title from K. F. Hermann, defending the Romans. But in Hermann's *Kulturgesch. der Griechen u. Römer*, 126 and 154, Roman taste is characterized nearly as unfavorably as by Friedländer. Tacitus, *dial. de oratt.*, c. 10: *Ut semel vidit, transit et contentus est, ut si picturam aliquam statuamve vidisset.* Cf. Cicero, *de legg.*, II, ii, 4. Consul L. Mummius, having conquered Corinth, 148 or 147 B.C., in forwarding the pictures and statues to Rome, told the sailors that if they lost or damaged any, they would have to replace them with others of equal value. The Basilica may be accounted a Roman product. The Arch and Dome, though importations (Ch. II, § 9, n. 5), received development and perfection at Rome. Nero's new Rome, after the great fire of A.D. 64, was built in the most perfect Greek fashion, as had been, indeed, all the public structures reared since the accession of Augustus. Cf. Merivale, liii. The Antinous-cycle of representations comes nearer than aught else in plastic art to being of Roman origination. It arose in Hadrian's time. The finest Antinous is in the Capitoline Museum. In all the Christian art for centuries God and Christ were figured with Apollo's head. On art at Rome, Mitchell, xxxiv-xxxvi.

<sup>2</sup> Preserved with Pompeii, and elsewhere. The best Pompeian pieces are now in the Naples Museum.

<sup>3</sup> Not only in sculpture and architecture, but also in drawing, the Greeks quite equalled the moderns. They did little in music.

## § 6 POLITICAL IDEAS

*Freeman*, Comparative Politics; Hist. of Federal Government, I. *Lecky*, Rationalism in Europe, II, 218 sqq. *Heeren*, Politics of Anc. Greece, ch. ix. *Montesquieu*, Spirit of the Laws. *May*, Democracy in Europe, I, ii-v.

The Greeks are our earliest instructors in politics, with their notions of which they have impressed mankind in four ways : i Through great statesmen and law-givers. Thus the twelve tables of Roman law and the Servian Constitution<sup>1</sup> were drawn up after study of Grecian models and maxims. ii Through the political writings of philosophers, chief of which, Plato's Republic and Aristotle's Politics.<sup>2</sup> iii Through their actual forms of government.<sup>3</sup> Greece furnished the types of nearly all the governmental polities which have had place since : 1 *Royalty*, (a) the old-Aryan or heroic, of Homeric times, (b) the more absolute Macedonian, (c) the effete or nominal Spartan. 2 *Aristocracy*, (a) more oligarchical, Sparta, (b) more democratic, Athens. 3 *Federations*, (a) with single supreme head, the Athenian supremacy, the Spartan, the Theban, the Macedonian, — such leagues sometimes free, sometimes forced, (b) on a footing of equality, the Achaean and Aetolian Leagues.<sup>4</sup> iv Through the history of the interaction, vicissitudes and destinies of these differently constituted states and confederacies.<sup>2</sup> Besides these legitimate polities, tyranny showed itself in Greece, now for good, now for evil.<sup>5</sup> Evoked in part by this was that zeal for freedom, so strong and general in the Hel-

lenic race, which burns in the orations of Demosthenes. As individual tyranny fostered this spirit, the tyranny of states over states bred patriotism, not identical with the other sentiment, yet nearer to it then than now, since Antiquity made more of civil than of personal liberty.<sup>6</sup>

<sup>1</sup> Mommsen, I, 141, 364. Ortolan's and Heron's doubt as to Greek influence upon the xii Tables seems ill founded.

<sup>2</sup> See the pol. writings of Algernon Sidney, Locke and Montesquieu. Hobbes, *Leviathan*, xxix: 'And as to rebellion, in particular against monarchy, one of the most frequent causes of it is the reading of the books of policy and the histories of the ancient Greeks and Romans.' The tirade continues at some length.

<sup>3</sup> Grote, Pt. II, ix. Compare Grote's fervor for Grecian democracy with the coolness of Mitford and Curtius.

<sup>4</sup> Freeman, *Fed. Gov't*, has the most satisfactory account of these Leagues. Cf. Smith's *Greece*, ch. xlvi; Thirlwall, lxi [Achaean], lxiii [Aetolian]; Tozer, 'Greece,' sec. ii, in *Encyc. Brit.*

<sup>5</sup> Grote, as at n. 3. Aristotle, *Politics*, V, i-v. Philip did not think of conquering Greece, as Alexander conquered Persia. He sought merely a Macedonian headship, like that which Epaminondas had procured for Thebes. — Droysen, *Gesch. Alexanders*, I, i.

<sup>6</sup> Cf. § 9.

## § 7 PROPAGATION OF THESE ELEMENTS

Mommsen, *Rome*, I, x. Freeman, *Chief Periods*, 13 sqq. Droysen, *Gesch. Alexanders des Grossen*. Grote, xxii sqq. [colonies], xciv [Alexander]. Williams, *Life of Alexander the Great*. Thirlwall, lv.

Hellenic civilization forced itself upon the world partly by its sheer superiority, by the mental dominance,<sup>1</sup> natural and acquired, of its bearers, partly by colonization<sup>2</sup> and conquest. The Greeks were adepts in colonization, planting miniature Greek commonwealths on every shore, nearly every island, of the Mediterranean, and on the Euxine, early surpassing in

this their teachers and rivals, the Phœnicians. Many of these remote regions equalled the mother land in culture, outdid her in wealth. A still broader and more fruitful dissemination of Greek ideas attended the conquering march of Alexander.<sup>3</sup> The importance of his conquests was even greater than their magnitude would imply. His empire soon crumbled, but the civilization by him introduced remained, and, in Egypt and West Asia at least, effected tremendous changes. The seeds of civilization early sent by these lands to Greece were now paid for in the matured fruit. Asia was hellenized.<sup>4</sup> Alexandria long rivalled, then excelled, Athens as a focus of Hellenism. From here, not to speak of other influences, a new Judaism went forth, everywhere profoundly modifying the old, providentially preparing for Christianity. Also, at these oriental schools of Greek thought, not at Athens, were trained the great theologians, who outlined Christian doctrine for all time.

<sup>1</sup> Thus Macedon, Epirus and Acarnania, which even as late as Thucydides's time were practically in barbaric rudeness, at length fully assume the Greek spirit and culture. So Rome and Italy fell under Greek influence, and to an extent the whole empire. With this should be remembered what Greece did to *save* civilization in a trying crisis. 'No enlightened man can think of the battles of Marathon and Salamis without perceiving their important consequence to the race at large.' — Condorcet, quoted by Comte.

<sup>2</sup> Curtius, *Die Gr. als Meister d. Colonisation, Deutsche Rundschau*, June, 1883.

<sup>3</sup> Grote, xciv, doubtless correctly, denies that this was any part of Alexander's intention.

<sup>4</sup> In this dissemination of Greek culture Islam but carried further the work of the *Diadochi*. — Kugler, *Crusades*, 19.

## § 8 ROME: GENIUS AND PLACE IN HISTORY

*Schlegel*, Philos. of Hist. *Hegel*, do., Pt. III. *Lotze*, as at § 1. *Freeman*, *Chiefs of Periods*, i-iii; *Contemp. Rev.*, May, 1884. *Mommsen*, I, ii, iii, v. *Milman*, vol. vii, 174.

Rome forms the centre of European history.<sup>1</sup> Built out of older nations and absorbing their civilization — all civilization, whether Greek, Christian or other, could at length be called Roman — it broke up into the various European states, discharging thither the intellectual stores gathered from its own mighty life and from its incorporation of other commonwealths. In studying the Roman people one is struck by the preponderance in them of moral and practical over theoretical and scientific interests.<sup>2</sup> Action, achievement, and, as means to these, order, system, law, forms, not attention to ideas or ideals as such, mark the Roman nature.<sup>3</sup> Hence the Roman genius for organization, government, discipline, military performance<sup>4</sup> and conquest; hence the Roman family, army, law, religion, church, the firmly centralized ecclesiastical polity of the middle age, and the dominance even till now of legal conceptions in European and American theology.<sup>5</sup>

<sup>1</sup> 'The centre of our studies, the goal of our thoughts, the point to which all paths lead and the point from which all paths start again, is to be found in Rome and her abiding power.' — *Freeman*. He calls this great truth the 'groundwork of all sound historic teaching,' and continually, though none too often, repeats it. 'He who ends his work in 476 and he who begins his work in 476 can neither of them ever understand in its fulness the abiding life of Rome; neither can fully grasp the depth and power of that truest of all sayings which speaks of Rome as the Eternal City.' As the rise of Rome was central in history, the Second Punic War was central in the rise of Rome.

<sup>2</sup> 'Greece lived from hand to mouth, passionately pursuing immediate ends, while the Romans were guided by a wider view, embracing the

future. . . . Greece still lives, though without any striking influence on the conditions of our lives, but countless present social and political arrangements and a great part of our mental life may be traced back along unbroken tradition to Rome.'— Lotze.

<sup>3</sup> Milman, *Lat. Ch'ty*, Vol. I, 27. Heeren, *Pol. Discourses*, 118, notices that the peninsula of Italy never gave birth to any *theory*, either in Roman times or since. On the other hand, as Adam Smith, *Wealth of Na.*, V, i, keenly observed, no state in Greece ever developed *law* into a science, as did the Romans.

<sup>4</sup> There seems to have been a continuous military tradition as to tactics, strategy, and the whole art of war, from Cæsar and Trajan to Napoleon and von Moltke. Far more important among our unnoticed inheritances from Rome is the holding of land in severalty, as *proprium*, instead of that community-holding which prevailed among our German ancestors and even at primitive Rome itself.

<sup>5</sup> Fisher, *Discussions in Hist. and Theol.*, 47 sqq.

## § 9 POLITICAL UNIVERSALITY AND ABSOLUTISM

*Freeman*, as at § 8. *Thierry*, *Tableau*. *Jung*, *Romanische Landschaften d. röm. Reichs*.

The great eastern empires, caring and doing nothing for subjects, received no loyalty and fell before the first resolute foe. Three battles annihilated Persia. To the Greek states their own subjects were loyal enough, but conquered peoples they did not win. Rome both secured from her own citizens a better than Greek patriotism, and incorporated as well as conquered the world. The necessary unity of the world-empire, and the necessary perpetuity of the city of Rome as centre of such empire, became axiomatic ideas, living on, tenacious, ineradicable, quite through the middle age.<sup>1</sup> Thus is to be explained the surprising respect had for Rome by all the barbarians, even in her decline.<sup>2</sup> This result is the more wonderful in that it was not liberty as now conceived which Rome bestowed. All ancient states were

absolute, assuming to dominate every department of individual life, the state regarding itself the end and aim of the individual's existence.<sup>3</sup> This idea, advocated by Plato, Sparta relentlessly carried out. Rome too, both in very early times and under the empire, made of citizens almost slaves to the state. So widely enforced and so debasing did this condition become in the later years of the old empire, that at length it apparently quenched all wish for a freer civil condition. The notion of absolute government became embodied in Roman public law, whence we see it in later times so asserting itself in France, in the mediæval empire and in the church as to give their main character to whole periods of history.<sup>4</sup>

<sup>1</sup> Graf, *Roma nella memoria e nelle immaginazione del medio evo* [2 v., Turin, 1883]. Cf. Voigt, *Wiederbelebung d. klassischen Alterthums*, I, 2, and Dante's *De Monarchia*. Tertullian, so early, had written that Rome would last as long as the world.

<sup>2</sup> Bryce, *Holy Roman Empire*, ch. iii. 'Rome' ceased to mean a city. It meant the Roman world. Rome stood for civilization. The invaders, Attila excepted, had no wish to destroy. They were awed. Alaric thought the eastern emperor a divinity. Odoacer, at liberty to do so, shrunk from assuming the crown that he had jostled from Romulus Augustulus's head.

<sup>3</sup> 'It was not from any consciousness of his individual dignity or of the dignity of humanity that the citizen of the victorious republic repelled insult or injury; but to inflict stripes upon him was to insult the majestic city, to put fetters upon his limbs was to bind limbs that ought always to be free for the service of the state.'—Greene, *View of American Revolution*, 109. Cf. Taine, *Contemp. Rev.*, Oct., 1884, 507 sq.

<sup>4</sup> The reference is especially to the days of Frederic Barbarossa in the empire, and of St. Louis and Philip the Fair in France. The canon law, which made the great popes so bold, was partly a reproduction, partly an imitation, of the civil. See Chaps. V and VI, and Guizot's *Essai* on the Roman municipal system.

## § 10 THE LATIN LANGUAGE

*Milman*, index, 'Latin language.' *Hallam*, Middle Ages, index, 'Learning'; *Literature of Europe*, I, i. *Sismondi*, *Literature of the South of Europe*, I, i.

If most else in Roman culture owed much to Greece, the Latin speech was a truly home growth.<sup>1</sup> Its influence is not easily overestimated. It has furnished all generations since with choice means of linguistic discipline, and it has been vehicle to them of a literature rivalling the Greek in beauty if not in originality or power. Till comparatively recent times Latin was, throughout all Western Europe, the medium of liturgy, literature, history, diplomacy, of law in its two kinds,<sup>2</sup> of science, philosophy and theology in all their forms, and of all learned commerce both oral and written. It founded the various Romance tongues<sup>3</sup> and has had powerful hand in shaping German and English. Preaching was first exclusively, then usually, then occasionally in Latin.<sup>4</sup> The Vulgate was long the world's religious code. It was principally in consequence of the universal use of Latin in the church that: 1 This language took on a sacred character, which came to be associated with all Roman things. 2 For several centuries nearly the entire clergy was of Latin stock, filled with Roman ideas, ecclesiastical and other, which thus gained greatly in power over society. In this way survived, partly independently, partly by mitigating barbarian manners, a culture in Italy, Provence and Spain, which could defy even the barbarians. 3. The Latin elements: roots, word-building, syntax, of the various vernacular tongues received greatly increased prominence.<sup>5</sup> 4 The unity of Europe was made possible and furthered.

<sup>1</sup> Not, of course, that Latin had not by Cicero's time become considerably enriched by accession of Greek words.

<sup>2</sup> I.e., civil and canon.

<sup>3</sup> Among which remember to place the Roumanian. German, too, is far more Romanic than commonly thought. Compare Ulphilas's Bible with Luther's.

<sup>4</sup> The Council of Trent [session 4], so late, orders the Vulgate to be taken *pro authentica*, and virtually places it above the original. Texts for sermons were to be drawn only from it.

<sup>5</sup> A third of the modern German vocabulary, word-forms and grammatical law is of Romanic origin.

## § II ROMAN LAW

*Gibbon, ch. xlv. Ortolan, Explication historique des Instituts. Morey, Roman Law. Hadley, Int. to Roman Law. Hunter, do. Mommsen, I, xi, II, viii. Thierry, Tableau, IV. Willems, Droit public romain. Roby, Int. to Justinian's Digest. Guizot, Civilization in France, Lect. x and xi.*

The savage provisions of primitive Roman law, the powers<sup>1</sup> it gave to creditors and to fathers, were done away mainly by three influences: 1 *The praetorship*. The urban praetor was judge, but the *peregrinus* had a function largely legislative. He was free to apply the law of nature and the best laws of all peoples, as well as to appeal to reason and equity. So were the provincial praetors. With the increase at Rome of a cosmopolitan spirit this quasi-legislation proved more and more felicitous. The *edictum perpetuum*<sup>2</sup> of the praetors became a compend of rational law, reacting by its superiority, upon that of the xii tables and gradually forcing this into desuetude. 2 *Imperial legislation*. Very many emperors, especially between Nero and Commodus, were at once wise and truly solicitous for the good of their subjects. Under the empire, imperial constitutions were practically the sole source of law. As they

were framed with the advice of the ablest lawyers, some of the best laws proceeded from the worst emperors.<sup>3</sup>

3 *Scientific jurisprudence.* This grew out of the experience and the discussions incident to praetorian administration, and partook the rational and human character of the same. The influence of law schools and of eminent jurisconsults was immense and often direct. Thus Augustus formed a special board of jurists to have authoritative review of all doubtful judicial decisions, an arrangement lasting, modified, till Justinian. From these potent causes resulted an entire transformation of the old law, making it humane for barbarous, human for merely Roman, 'written reason.'<sup>4</sup> Codified by Theodosius II in the fifth century, more thoroughly by Justinian in the sixth, and contributing large matter to the codes of all the new kingdoms in the West,<sup>5</sup> it could maintain itself in vigor through the darkest years of the following centuries. Raised to new life by ardent study at Bologna in the twelfth, it endures still, furnishing the spirit, principles and to a great extent the substance of all modern bodies of law,<sup>6</sup> second in forwarding civilization to no single force save Christianity.

<sup>1</sup> Including power to put to death. 'On the third market day [after judgment, the debt not having been paid] let them cut [the debtor] in pieces, and if they cut more or less it shall be no crime.' — Tab. III, vi.

<sup>2</sup> Publishing the principles, modes and scope of their procedure, and styled 'perpetual' in contrast with *edicta repentina*, touching minor and occasional matters. Being changed but little it became 'perpetual' in a secondary sense, as it did in a tertiary when Hadrian made it legally permanent. Marc Aurelius modified it and extended it over the provinces.

<sup>3</sup> Thus it was Caracalla who, in 212 A.D., gave its final extent, including all freemen in the empire, to the Roman franchise. From Augustus to Alexander Severus [d. 235 A.D.] was the golden age of Roman lawyers.

The greatest of them, Papinian, was flourishing at 200; Caius, next in rank, at 150. The chief law schools were at Rome, Constantinople and Berytus [Beirut].

<sup>4</sup> 'The pearl of Roman civilization, the development of law.' — Lotze. *Neque voluit [deus] ut per nos tantum lux justitiæ emiteat, sed voluit ut per Romanos quoque luceret et splenderet.* — Apostolic Const., VI, 24.

<sup>5</sup> Ch. IV, § 1. Roman law was at no moment disused in the West, the northern conquerors ruling by it all their Roman subjects. Besides, the works of Justinian, esp. the Pandects, were studied. Peter of Valence published in the 12th century a law-book, wherein he used material from every part of the *Corpus juris*: Institutes, Pandects, Code and Novels. Yet the discovery at the sack of Amalfi, 1135, of the Florentine copy of the Pandects greatly stimulated the study. — Guizot, *Civilization in France*, Lect. xi. There were two codes, the Gregorian and the Hermogenian, before A.D. 438, the date of the Theodosian. They were of private origin, and their date is uncertain.

<sup>6</sup> It has had least influence on English and American law, where it has been felt in chancery and equity almost alone. Louisiana, however, retains the Romanic basis given to her law when under French rule. Mackenzie's Roman Law exhibits ably and interestingly the Roman elements in modern European law. Savigny, *Gesch. d. römischen Rechts im Mittelalter* [one vol. exists in Eng.], traces Roman law from the dissolution of Rome onward. The grand and peerless character of the law is best set forth in v. Ihering, *Geist d. römischen Rechts*.

## § 12 STOICISM

*Thierry, Tableau III, iii.* Cf. his art. in *Revue des deux Mondes*, *juin*, 1873. *Capez*, Stoicism. *Holland*, Reign of the Stoics. *Zeller*, Stoics, Epicureans and Sceptics.

This remarkable result was the combined effect of Christianity and Stoicism. It was through her law that Rome, contributing nothing to the original discussion of it, did most to perpetuate and enforce Greek philosophy. Chrysippus's conception of a law of nature, when rendered practical by Roman jurists, secured a sweep of influence in human thought and conduct to which no amount of mere speculation could have led.

Literature as well as law caught the catholicity of temper. Velleius Paterculus<sup>1</sup> ascribes to the allies in the Social War a '*causa justissima*.' Florus<sup>1</sup> even makes this a civil war, judging Rome's foes to be of Rome's own blood, a thought which he extends to all the races ruled by Augustus. 'The whole world is my country,'<sup>2</sup> cries Seneca, 'we are members of one great body; nature made us relatives when she begat us from the same material and for the same destiny.' Lucan hails that 'sacred love of the universe'<sup>3</sup> which makes man 'regard himself born not for himself but for the whole world.' Rome is exalted, at length deified,<sup>4</sup> as, with her now catholic extent and policy, a blessing to the race. Conservative Tacitus tolerates the empire for the provinces' sake. The elder Pliny admires 'the immense majesty of that Roman peace,'<sup>5</sup> which was well-nigh world-wide and unbroken from the day of Actium to the death of Commodus, 223 years. These sentiments were not partisan or doctrinaire, but pervaded the public heart.

<sup>1</sup> See Velleius Paterculus, II, 15, Florus, III, 18: *Sociale bellum vocetur licet ut extenuimus invidiam, si verum tamen volumus illud civile bellum fuit*. Paterculus flourished under Tiberius and was with him in his German campaign against Maroboduus, 6 B.C. Florus was contemporary with Trajan and Hadrian. Each wrote on Roman history.

<sup>2</sup> Epistles, xxviii, xcv; *cons. ad Helviam*, vi. Seneca's innumerable utterances and quotations in this vein show conclusively that such humanitarianism was not due to Christianity alone. Schmidt, to be sure, thinks Seneca and his fellow Stoics to have been greatly influenced by Christianity without knowing it. Better Merivale's thought, 'that the law of Rome was already a pedagogue, leading the nations unto Christ even before Christ Himself had appeared.'

<sup>3</sup> *Pharsalia*. Lucan, b. 39 A.D., was Seneca's nephew.

<sup>4</sup> Literally. In Smyrna and all over Asia there were altars to Roma as a goddess. — Thierry, 266.

<sup>b</sup> *Hist. nat.*, xxvii, 1. *Aeternum, quaeso, deorum sit munus istud*, he adds, *adeo Romanos velut alteram lucem dedisse rebus humanis videntur*. Contrary to a very common fancy, the dominant spirit of imperial Rome was not war or conquest. The greatest Caesars did not wish increase of territory, and waged offensive wars only to secure natural frontiers. Trajan was the sole exception, and some even of his conquests, as in Dacia and Arabia, had a defensive aim. The effort of the emperors was to break down the barriers between peoples within the empire, and to develop a homogeneous civilization for the entire Roman world. — Thierry, 181 sq.; Gibbon, i. 'If an angel of the Lord were to strike the balance whether the domain ruled by Severus Antoninus was governed with the greater intelligence and humanity then or now, whether civilization and national prosperity generally have since then advanced or retrograded, it is very doubtful whether the decision would prove in favor of the present.' — Mommsen, Int. to Bk. VIII.

### § 13 THE MUNICIPIUM

*Kuhn, Verfassung der römischen Städte. Savigny, Gesch. des römischen Rechts im Mittelalter*, I, i, ii. *Marquardt-Mommsen, Römische Alterthümer*, IV, 26 sqq. *Gizot, Essais sur l'hist. de France*, i. *Carl Hegel, Städteverfassung von Italien*.

In the course and sequel of conquest each Roman town became politically a copy of ancient Rome itself, *curia* for senate, *duumvir* for consul. From the beginning of the fifth century the hereditary *curiales*,<sup>1</sup> earlier called *decuriones*, formed a not narrow property aristocracy, with some honors and immunities, which, as the empire decayed, were more than outweighed by burdens. The duumvir,<sup>2</sup> elected annually by the curials, was a judicial as well as an executive functionary, a court of first instance for all persons and causes not specially exempt from such jurisdiction. Besides these there were several other municipal officers, foremost among whom, from 330, was the *defensor*, popularly<sup>3</sup> elected each five years, to protect individuals, especially

of the sub-curial classes, from unjust taxes and usage. The defensor, usually the bishop, from the first headed, at length, in many cases, comprised, the government, the rest dissolving in poverty and anarchy. Thus the municipal was the last part of Rome's political fabric to fall. Indeed, it seems certain that at least its spirit and general form never succumbed, and that more or fewer now existing French and Italian communes have had a nearly unbroken political life from Roman times.<sup>4</sup>

<sup>1</sup> Above the curials stood a privileged class, exempt from taxation, comprising clergy, soldiers, senators and any man bearing the title of '*clarissimus*' [§ 14, n. 6]. Beneath the curials were the common people, virtually serfs, taxed, but destitute of political rights. It required but 25 *jugera*, or about 10 acres, of land to constitute one a curial. A curial who had held all the offices of his city passed into the privileged class. To certain degrading penalties also curials were not liable. For their burdens, and much else, see Ch. IV, § 5.

<sup>2</sup> Sometimes two [*duumviri*] or even four [*quattuorviri*]. They were often called 'consuls,' as curials were 'senators' and curia 'senate.' A defensor served 5 years till Justinian, then 2. No curial could be defensor. Other full officers were the *censors*, also called *quinquennales*. They were commissioners of public buildings, lands and moneys. Aediles and quaestors are mentioned. As holding *munera* or lower offices, the *susceptor* [tax-collector], the *irenarchs* [chiefs of police], the *scribae* or *excerptores*, and various sorts of *curatores*, as *frumentarii*, *calendarii*, etc., may be named.

<sup>3</sup> I.e., the clergy and the sub-curial freemen as well as the curials helped elect him. His function was analogous to the earlier one of the tribunes. Many defenders became counts of their cities. Being a *magistrate* a defensor might take the place of a provincial governor in his absence. He was authorized also to carry complaints directly to the praetorian prefect [§ 14]. Beneath the sub-curial free but by an interval small and ever lessening were slaves.

<sup>4</sup> Savigny, as above, I, iv; Guizot, *Civilization in France*, Lect. xi; Duruy, *Moyen Age*, 274, 335; Kaufmann, *deutsche Gesch.*, II, 177, 413. Rome, Aix, Marseilles, Arles, Nismes, Narbonne and Toulouse are the clearest cases of continuity. In questioning, or minimizing, such continu-

ity Carl Hegel stands nearly alone. 'Dux' became 'doge' in No. Italy [not alone at Venice], as, in So. Italy, *στρατηγός* in the form 'stradigo' has come down to quite recent times. In Italian, 'dogana' is still the name for custom-house. Rome's public dirt-carts are to this day marked S.P.Q.R.

## § 14 THE IMPERIAL ORGANIZATION

*Gibbon*, iii, xvii, *Freeman*, in *Contemp. Rev.*, Nov., 1884. *Marquardt-Mommien*, IV. *Thierry*, *Tableau*, *Liure II. Duruy*, *Moyen Age*, ch. i. *Carl Hoch*, *R. Gesch. vom Verfall d. Rep. bis zu Vollendung d. Monarchie unter Constantin*, I. *Guisot*, *Civilization in France*, Vol. III, 203 sqq. *Kuhn*, *Verf. d. röm. Reichs*.

This splendid and colossal mechanism, without understanding which no chapter of mediaeval history is clear, was perfected by slow degrees, mainly by Hadrian, Diocletian and Constantine. The empire, however divided, was to the last a unit in theory.<sup>1</sup> Kingdoms once 'confederate' or 'allied'<sup>2</sup> with Rome, gradually became provinces, and in these the distinction between senatorial and imperial passed away. Under and after Diocletian, the empire was divided into four prefectures,<sup>3</sup> each with its prefect, to whom, as to the whole administration of the government, Constantine imparted a purely civil character. Prefectures fell asunder, much according to old national lines, into dioceses, of which, including the independent dioceses of Rome and Constantinople, there were fifteen. Each diocese had its vice-prefect, and was composed of provinces. These, too, had presidents, under whom, again, stood the magistrates of cities and villages. A similar hierarchy prevailed in the army. Seven grand officers formed the imperial cabinet.<sup>4</sup> Each head of a prefecture, diocese or province had his numerous staff of aides, the chief functions of these being to hold courts and to collect revenues. Noble roads and a swift post connected the

capitals with the extreme provinces.<sup>5</sup> While consuls and senate had in both capitals assumed a merely municipal function, holders present or past of high administrative positions formed a new nobility, with rigorously determined etiquette, privilege and honors.<sup>6</sup>

<sup>1</sup> I.e., when there were two emperors, each had his full authority everywhere. Hock is especially good on the constitution under Augustus. Peter has leaned heavily on him.

<sup>2</sup> Both these kinds of states retained the forms of freedom, but the confederate had the more of its substance. The senate could at any time write to an ally, as Augustus to Herod: 'So far you have ranked among my friends, henceforth I make you my servant.' — Thierry, *Tab.*, 50. Cf. Marquardt-Mommsen as above, 44 sqq.

<sup>3</sup> Gaul, Italy, Illyricum, and the East. See Map. On the prefectures, Constantine's change of the prefect from a military to a civil officer, etc., Gibbon, xvii, and Freeman, *Hist'l Geog.*, 76 sqq. To be noticed that the diocese Illyricum was not in the prefecture of that name. The dioceses Thrace and Constantinople were in the prefecture of the East. This word 'diocese' passed from civil into ecclesiastical use, as did '*consistorium*,' the word for the emperor's cabinet. So '*ordo*.'

<sup>4</sup> See for this and all that follows, Gibbon, ch. xvii.

<sup>5</sup> Friedländer, *Sittengesch. Roms*, Th. II, i, *Die Reisen*. Gibbon, ch. i, ii. Caesarius, in Theodosius's t., journeyed fr. Antioch to Constantinople, 665 miles, in about 6½ days. It was not unusual to travel 100 miles a day. Tiberius even went from Rome to what is now Holland at the average rate of nearly 12 miles an hour. On the death of Queen Elizabeth, at London, Thursday morning, Mch. 24, 1603, Sir Rob. Cary galloped for Holyrood to inform King James. The distance is about 350 miles. It has been thought a wonder that he arrived Saturday night. The Roman empire at its greatest extent was about 3000 miles long by 2000 wide. From the wall of Antonine in Britain across the empire in a southeast direction to Jerusalem was about 3740 miles. On the populousness of the emp., Wietersheim, *Bevölkerung d. röm. Reichs*. Acc. to Dionysius, the arms-bearing Romans at time of Servius Tullius numbered 80,700; at beginning of Republic, 150,000; at end of I Punic War, 300,000; under Augustus, 4,137,000; under Claudian, 6,940,000.

<sup>6</sup> The last consul, 541 A.D., 1294 v.c., was Flavius Basilus Junior. The senate came to an end 11 years later, 552. — Asbach, *Zur Gesch. d. Con-*

*sulats in d. römischen Kaiserzeit.* On this new nobility, Gibbon, ch. xvii. There were the *illustres* [most noble], the *spectabiles* [right honorable], and the *clarissimi* [honorable].

## § 15 RISE OF CHRISTIANITY

Gibbon, xv, xvi, xx, xxi. Milman, Bks. I, II. Ranke, *Weltgesch. Theil* III, v. Schlegel, *Philos. of Hist.*, ch. x. Hegel, *do.*, Pt. III, III, ii. Lotze, *Mikrokosmos*, VII, v. Cf. bibliog. to this Chapter, iii.

While political Rome went down, the Christian church with incomparable vigor was daily gaining converts, perfecting organization, creating its mighty future. By the time of Trajan North Asia Minor had Christians everywhere.<sup>1</sup> Soon after 150 the empire is studded with churches, a few existing even in Arabia, Persia and India. At first chiefly the poor, in the third century higher classes also, embrace the gospel. It influences the court itself.<sup>2</sup> Its mode of progress is from cities outward into hamlets and country, mainly by natural contact of men, also through formal missions.<sup>3</sup> Constantine's politic change of attitude toward the church, while vastly increasing the number of nominal believers, was less itself a victory for Christianity than a proof of the victory which this had already won. The church, though not yet in numerical majority,<sup>4</sup> represented whatever was best in society, its living, aggressive, practical and moral elements.<sup>5</sup> Majority came soon, but meant less than one wishes it had. Thus, the election, in 366, of a bishop of Rome, at once involves and disgraces the whole population of the city.<sup>6</sup> Also the evanescence of heathenism from this time, results in considerable part from fashion and policy. Yet real Christianity still spread, and the church's progress even

after Constantine is nowise merely ecclesiastical. The sufficient cause of such conquest by Christianity was that it was a true religion, answering the deepest intellectual, moral and spiritual needs of souls. Con-causes were (1) the excellent examples of Christians, (2) their care of the poor and helpless, pagan as well as Christian,<sup>7</sup> (3) the apologies and preaching of their ablest clergy, (4) persecutions,<sup>8</sup> nursing the heroic spirit in Christians themselves, sympathy in others, (5) unity of the Roman world in language, also through facile travel and communication, (6) unmeant coöperation of Stoicism and Platonism.<sup>9</sup>

<sup>1</sup> We know this from the highly interesting correspondence between Trajan and Pliny the Younger, who was propraetor in Pontus, 103-5. — Pliny's Letters, X, 97, 98. Ebers's 'Emperor' offers an impressive and truthful picture of Christianity in Egypt in Hadrian's time, 117-138.

<sup>2</sup> Marcia, the favorite concubine of Commodus, was favorable to the Christians. — Milman, ch. i. Philippians, IV, 22, probably refers only to servants and retainers. Some early bishops were slaves. Till 3d cent., the Roman ch. was composed of '*rudes et impoliti*.'

<sup>3</sup> Almost solely within the lines of the empire. Christian archaeology reveals that missionaries rarely if ever went in advance of the eagles. On early British Christianity, however, see Ch. V, § 1. The Goths were christianized by Christian captives. — Neander, Ch. Hist., II, 125-9.

<sup>4</sup> Tacitus, xv, 44, calls them an *ingens multitudo* in Nero's time. About 250, Christians may have numbered  $\frac{1}{4}$  of the supposed million inhabitants of Rome. Their church had 1 bishop, 46 presbyters, 7 deacons, 7 sub-deacons, 42 acolyths, 50 readers, exorcists, and porters, and 1500 beneficiaries, i.e., widows, sick and poor. — Eusebius, vi 43. About 400 the ch. of Antioch embraced 100,000 souls [3000 of them beneficiaries], probably about  $\frac{1}{4}$  the city's population.

<sup>5</sup> Not likely that Constantine meant to profess conversion. He simply substituted a better for a poorer state-religion. He was, of course, the head of the new as previously of the old. Rome had always made religion a state affair, and the promotion of Christianity caused no change in this. I.e., Dante's state-church theory [Ch. V, § 11] was identical with that of the Roman Republic.

<sup>6</sup> Milman, I, ii. Damasus the successful candidate was opposed by Ursinus. Churches were garrisoned, besieged, stormed, deluged with blood. The prefect could not keep the peace. In the basilica of Sisinnius one day over 130 dead bodies were counted.

<sup>7</sup> Uhlhorn, Christian Charity in the Anc. Ch. Cf. next §, also Ebers, 'Emperor.'

<sup>8</sup> Persecutions of Christians were partly popular and unauthorized, the heathen populace believing them to be *ἄθεοι*, haters of the gods, and so authors of tempests, plagues, etc., and partly from regular legal prosecution. The *crimen*, contrary to what has usually been thought, was rarely, if ever, that of adhering to a *religio illicita*, for to all such Rome was most tolerant, but that of *laesa majestas*, or treason, in not paying homage to the emperors. But membership in an illicit *collegium* or attachment to an illicit religion was often used in evidence. That the Christians commonly met in secret was special ground of suspicion against them.

<sup>9</sup> See Merivale, Conversion of Rom. Emp., Lect. v.

## § 16 ITS INFLUENCE

*Merivale*, Conversion of the Roman Empire. *Sidgwick*, 'Ethics,' in Encyc. Brit. [also in sep. vol.]. *Schmidt*, *Essai sur société dans le monde romain et sa transformation par le Christianisme* [Paris, 1853]. *von Sybel*, *Kleine hist. Schriften*, I, i.

'Without dwelling on the immense impetus given to the practice of social duty generally, by the religion that made beneficence a form of divine service and identified piety with pity, we have to put down as definite changes introduced by Christianity into the current moral view, (1) the severe condemnation and final suppression of the practice of exposing infants, (2) effective abhorrence of the barbarism of gladiatorial combats,<sup>1</sup> (3) immediate moral mitigation of slavery and a strong encouragement of emancipation,<sup>2</sup> (4) great extension of the eleemosynary provision made for the sick and the poor.' While cosmopolitan spirit and belief in human unity are partly due to Stoicism and to Roman experi-

ence of the world, Christianity was beyond question their chief spring and strength. The increase from Gaius to Justinian, of humanity and of reverence for natural ties in laws of marriage and succession, points likewise to Christianity.<sup>8</sup> The idea of progress must be credited to Christianity exclusively. Cicero's, Lucretius's, Seneca's, Aurelius's works will be searched in vain 'for a single expression of reliance on the progressive improvement of mankind.' It is another of Christianity's rare merits to have supplied that union of practical with ideal aims, at once so attractive and so elevating to the Roman, which made Rome, centuries long, the efficient moral and religious centre of Europe.

<sup>1</sup> Friedländer, *Sittengesch. Roms*, Th. II, ii.

<sup>2</sup> The *lex Cornelia de sicariis*, under Sulla, 81 B.C., made the killing of another man's slave homicide. Antoninus Pius, 138-161, placed in the same category the causeless killing of one's own. — Justinian, *Inst.*, I, viii. The same benign prince ordained that masters who were cruel to their slaves should be forced to sell them, 'for the public weal demands that no one wrongfully use his property.' The code of Justinian, 529, shows but little advance upon the above in mercy toward slaves. It, however, enjoins masters to send sick and worn-out slaves to the public hospitals, which were now open to them as to the poor free. Manumission also had been made easier. Cf. *The Early Ch. and Slavery*, in *Lea's Studies*. The church scrupled not to hold slaves upon its lands or to preach to them submission and industry, but it exhorted masters to mercy and proclaimed emancipation, especially by bishops and monasteries, as a species of pious act especially pleasing to God. Yet, on the whole, Christianity's action against slavery, considering its long power as a state religion, must be pronounced very slow.

<sup>3</sup> Morey, *Roman Law*, 149 sqq., admirably discusses this. Constantine made it murder for a father to kill his son. Giving a son in adoption required the son's consent. A son, if a soldier, could hold the fee simple of property. Women too could do this. They could adopt children, could be guardians of their children and were no longer compelled to be under tutelage.

## § 17 EARLY CHURCH ORGANIZATION

*Hatch*, Organization of the Early Christian Churches. *Lightfoot*, Dissertation on the Christian Ministry, in Commentary on Philipians. *Andrews*, in Bibliotheca Sacra, Jan., 1883.

In the earliest ecclesiastical polity each town or city had but a single church, with its board of coëqual bishop-elders. The function of these was service rather than office, oversight instead of preaching. By natural steps eldership became an office proper, and the headship of the board passed to an individual, who was at first mere *primus inter pares*, then veritable monarch. Soon, converts multiplying, every large church comes to comprise several congregations, each with its elder or elders; and the bishop finds himself the head of a parish-diocese, enlarged in most cases by mission churches, which he has planted in the suburbs or beyond.<sup>1</sup> The analogy of this relation, and the example of the civil provincial *régime*, especially after the rise of provincial synods, brought among bishops themselves, preëminence to those of provincial and diocesan capitals. Like causes advanced to still higher dignity the bishops of churches founded by apostles<sup>2</sup> or otherwise specially eminent. The bishops of Alexandria, Antioch, Ephesus, Corinth and Rome, later also the patriarch of Constantinople, had this supreme rank. These exalted fathers call diocesan councils, consecrate metropolitans<sup>3</sup> and judge as courts of last instance. Such tendency toward centralization and firm organization in the church was furthered by (1) scriptural teachings and analogies,<sup>4</sup> (2) the influence and teaching of great doctors, (3) frequent synods<sup>5</sup> and councils, (4) the speo-

tacle of the empire, (5) fiery opposition on the part of heretics and pagans.

<sup>1</sup> Not till the 3d century do we find *χρυσολογοί* or bishops of country villages, independent of city bishops. Churches in small centres, even when started independently, usually connected themselves with large ones.

<sup>2</sup> *Ecclesia apostolica matrix ecclesiae* was a proverb.

<sup>3</sup> The church of a provincial capital [as also its bishop] was called metropolitan, *ecclesia primae sedis*, in relation to the other churches of the province. In a word, the political organization [§ 14] was the schema for the ecclesiastical, the two exactly coinciding, except where a political capital chanced to be moved after the bishop's seat had become well fixed. Even in such cases, the bishop of the new capital sometimes received promotion, as Patroclus of Arles, in 417, Arles having been made capital of Gaul in 400. But Hilary, Patroclus's successor, was degraded again by Pope-Leo I.

<sup>4</sup> In what sense episcopacy is of scriptural authority, see Lightfoot, as above. The Jewish church and the unity ascribed by the N. T. to the churches of the Jerusalem circle offered influential analogies.

<sup>5</sup> When, by 200, the synodal system had become established, each metropolitan used to convoke his clergy yearly, soon after Easter.

## § 18 RISE OF THE PAPACY

*Milman*, bks. i, ii. *Kaufmann*, *deutsche Gesch.*, II, 235 sqq. *Creighton*, *Hist. of Papacy during Reformation*, ch. i. *Wattenbach*, *Gesch. d. römischen-Papstthums*. [All the Church Histories have chapters on this.]

Plainly such a system logically called for an individual centre. This it found in the bishop of Rome. The church of the imperial capital, the sole apostolic see in the West, upon soil sanctified by the blood of holy apostles and martyrs, had from its foundation been highly respected and influential in all sections of Christendom. Yet its bishop became sovereign only after long evolution of opinion. The process comprised three periods:<sup>1</sup> i A headship in honor and rank is universally accorded him in the way of comity.<sup>2</sup> ii He

claims supreme authority as a right, against opposers.<sup>3</sup> iii Admission of this right becomes universal throughout the West as essential to orthodox belief. Tributary to this tremendous result were (1) the size, wealth, orthodoxy, liberality and missionary zeal of the Roman church, (2) reverence for Rome and the analogy of the monarchical empire, (3) the theory of Peter's primacy and of the transmission of the same,<sup>4</sup> (4) the influence of the Roman bishop at court when this was at Rome, (5) his power as virtually civil ruler when the court was at Ravenna or Constantinople,<sup>5</sup> (6) his function as, in a way, appellate judge, recognized and confirmed by the Council of Sardica (343),<sup>6</sup> (7) the doctrine of the church as the supreme earthly power, shaped and furthered by Augustine's City of God,<sup>7</sup> (8) the passage, about 400, of the church's intellectual headship from the East to the West.<sup>8</sup> Already Siricius (384-'98) expects his decretal to be obeyed by all. Innocent I (402-'16) will have all the bishops on earth apply to Saint Peter for light upon matters of faith. These encountered some resistance. It was reserved for Leo the Great (440-'61), eloquent preacher, conqueror of Attila by a look, saviour of Italy from the Huns, far the ablest church leader that Rome had yet seen, properly to found the papal power as known to history, crushing all vigorous opposition. He dictated the law of Valentinian III (445) which recognized the Roman see as the supreme legislative and judicial authority for the entire church, and at Chalcedon (451) his legates presided, absolving and condemning in his name.

<sup>1</sup> Comba, *Storia della Riforma in Italia*, I, Int. [Florence, 1881], recounts well the development of the papacy, the various efforts at reform and the whole early hist. of Ch'ty in Italy.

<sup>2</sup> As the archbishops of Armagh and St. Andrews for centuries before England became Great Britain deferred to him of Canterbury. The second ecumenical council, Constantinople, so late as 381, expressly declared the bishop of Constantinople to be the peer in rank with him of Rome. Cyprian, bishop of Carthage, died 258. With extreme zeal and ability he defended the Roman bishop's primacy in *rank*. With equal energy, however, he maintained that in authority, right and power all bishops are equal. To him the primacy of Peter even was only one of rank and gave him no power over his apostolic colleagues. Cyprian calls the bishop of Rome 'brother' and 'colleague.' He disagrees with Stephen of Rome as to the validity of heretical baptism. Stephen refuses him communion and denounces him as a heretic. Yet this nowise affected Cyprian's ecclesiastical status, and the church honors him to-day as a saint.

<sup>3</sup> Rome's claims kept far in advance of acquiescence in them. Cyprian in his controversy with Stephen translates a letter from Firmilian, bishop of Caesarea in Cappadocia, which denounces Stephen as an audacious and insolent heretic, and scoffs at his pretended descent from St. Peter. Eighty-seven bishops assembled in council at Carthage under Cyprian, asserted the independence of the African churches, and condemned the assumption by any bishop, Roman or other, of the title 'bishop of bishops.' When in the Decian persecution the bishops of Leon and Astorga in Spain had lapsed, yet were defended by Stephen, Cyprian, with thirty-five other bishops, ratified their condemnation, and bade the churches of Leon and Astorga cling to the new bishops whom they had meantime chosen. Ambrose, Augustine and Sulpicius Severus, the historian, held fast to this view of episcopal coequality.

<sup>4</sup> Based upon Matt. xvi, 18: 'Thou art Πέτρος, and upon this πέτρα will I build my church.' Each pope is supposed to be crowned directly over St. Peter's grave. The papal crown was made triple by John XXIII, who added a third coronet in 1411.

<sup>5</sup> This influence and power were vast long before Ch'ty became the state religion, but greater, of course, after. Thus, when the Donatists appeal to Constantine, he turns the matter over at once to Pope Miltiades. — de Broglie, I, ii.

<sup>6</sup> Any bishop condemned by a provincial council might appeal to the Roman bishop. If the latter thought a new trial deserved, he referred the case to a council in another province. Sardica [which was not a general council at all] gave him only this right to order a new trial, not that of final judgment.

<sup>7</sup> As Constantine's theory of the church was one with Dante's [§ 15, n. 5],

Augustine's was the early form of Gregory VII's [Ch. V, § 12]. The state is nothing, save for the church. The emperor must serve the church. If he refuses, he is no better than a great robber.

<sup>8</sup> Represented esp. by Ambrose, 340-397; Jerome, 340-420; and Augustine, 354-430. These men repudiated Rome's jural primacy, but by their greatness, coupled with their insistence upon the church's unity and supremacy, they mightily aided Rome in securing such. Intellectually independent, the West felt no lack when the East drew off, and in the West no church could vie with that of Rome for first place. Carthage might have thought of this but for Vandal ravages. Indeed, pressed by the Arian and heathen Teutons, the churches of Gaul, Spain and Africa were fain to crave help from Rome, instead of defying her. And by this time Rome meant the church of Rome. Cf. Chapter IV, § 19.

## § 19 THEOLOGICAL CONTROVERSY

*Milman*, bks. i-iii. *Gibbon*, xx, xxi, xlvii. *Sheldon*, Hist. of Christian Doctrine. *Hagenbach*, do. *Shedd*, do. *Neander*, Church Hist., II.

In no way more than through this has the early church shaped modern thinking. The head subjects of difference were three, mainly affecting, the first two the West, the third the East: i *Grace and Free-will*. Pelagius declared man's will free after, Augustine, enslaved through, Adam's fall. Pelagius thought grace only an aid to, Augustine, the cause of, all holy human volition. Augustine was victorious at the time though final orthodoxy much modified his views. ii *The Nature of the Church*. 1 The Novatianists mercilessly excluded penitent *lapsi*.<sup>1</sup> 2 The Donatists, an African sect, conditioned valid priestly functioning upon personal worthiness in the priest. They waged against the catholics a long, truceless and bloody war. iii *The Nature of Christ*. 1 *Within himself*. Nestorius, sharply sundering human from divine, gave Christ a double personality. Eutyches and the Monophysites,<sup>2</sup> the lat-

ter a sect long powerful in the East, went to the opposite extreme, losing his humanity in his divinity. 2 *In relation to the Father.* Monarchianism was a professed special defence of God's unity, having many variant phases, all of which agreed in the subordination of the Son.<sup>3</sup> Substantially the same heresy though far more definite, earnest and influential, shaking Christendom to its base, was *Arianism*, esteeming Christ a creature, yet in virtue of his higher nature, superhuman, creator of the world and worthy of divine worship. The contrary view, making Christ's higher nature eternal, uncreate and in the fullest sense divine, entered the creed at Nicaea, 325, yet like Athanasius its indomitable defender, had to wait and fight long for general recognition as from God.<sup>4</sup>

<sup>1</sup> Those, that is, who had in some way made terms with the persecuting authorities, as by surrendering the sacred scriptures, burning incense to the emperor, or sacrificing to the heathen gods. Cf. § 15, n. 8. Novatian was a presbyter at Rome, whence his doctrine spread to all parts of the church. Novatianists refused communion with catholic Christians, and rebaptized converts from them. Severe as they were they did not deny to the lapsed hope of mercy in another life. Substantially the same idea of the true church as a holy community [ ] inspired the Donatists. The catholic party, on the other hand, took a more moderate church attitude.

<sup>2</sup> Eutyches was condemned by the Council of Chalcedon, 451. His followers were especially numerous in Egypt. They were wont to call Mary the mother of God, and to say that God suffered on the cross [patripassianism]. This shocked Nestorius as veritable heathenism. Cyril of Alexandria took up arms against Nestorius, virtually denying Christ's human nature. He won the Roman bishop by making Nestorius's view appear Pelagian. Monothelitism in the 7th century, teaching that Christ possessed two natures but only a single will, was an attempt to mediate in this controversy.

<sup>3</sup> Sabellianism was the most popular form of this heresy. Advocates of *μωναρχία*, or the singleness of the divine essence, admitted the divinity and uncreatedness of Christ's higher nature, but denied its separate personality before his human birth.

<sup>4</sup> For a century and more it was doubtful whether Arianism would not become accepted as orthodoxy. Several emperors were Arians. The tragic story of '*Athanasius contra mundum*' may be read in any of the Church Histories. Cf. J. H. Newman, Arians of the 4th Century.

## § 20 OTHER INFLUENCE OF THE CHURCH

*Gibbon*, as at § 19. *Lea* [Studies in Ch. Hist.], 'Benefit of Clergy,' 'Rise of Temporal Power,' and 'Excommunication.' *Milman*, III, v.

Highly noteworthy was the church's function in (1) producing great men,<sup>1</sup> (2) importing monachism,<sup>2</sup> (3) enforcing clerical celibacy,<sup>3</sup> (4) enacting creeds and discipline,<sup>4</sup> (5) perpetuating elements of heathenism.<sup>5</sup> Further, the church assumed momentous relations with the empire. It drew emperors into its quarrels, invoking the civil arm against heretics, thus painfully subjecting itself to the secular power. Emperors listened to appeals from bishops' courts, held councils, at which they or their delegates presided, and gave to conciliar decrees the force of imperial laws. Imperial influence in deciding what was orthodoxy, and in appointing to ecclesiastical offices induced, especially in the East, great servility in the higher clergy. In return church invaded state. The right of asylum passed from a few temples to all churches, dreadfully interfering with justice. The clergy as a class became by far the strongest power in the empire. They could discipline exalted wrong-doers who defied civil process. They regulated legislation and practice in respect to marriage, divorce and bequests. No civil court could try a clerk.<sup>6</sup> The bishop everywhere administered the wealth, often immense, of his church, practically as if his own. In the new kingdoms he was the superior, associate and ad-

viser of the victors, the advocate and friend of the vanquished. As defensor, a civil officer, he stood for Rome long after all other visible elements of the old society had vanished. This double character made him incalculably influential in conserving Roman laws and customs during their stormy passage into the life of the new states of the West.

<sup>1</sup> Ecclesiastical promotion took the place of secular as an object of ambition. Besides Ambrose, Jerome and Augustine, those living wholly or partly in the 5th century alone would make a long list. Chrysostom, Innocent I, Pelagius, Nestorius, Leo I, Gregory of Nazianzen, Gregory of Nyssa and Hilary were all extraordinary men.

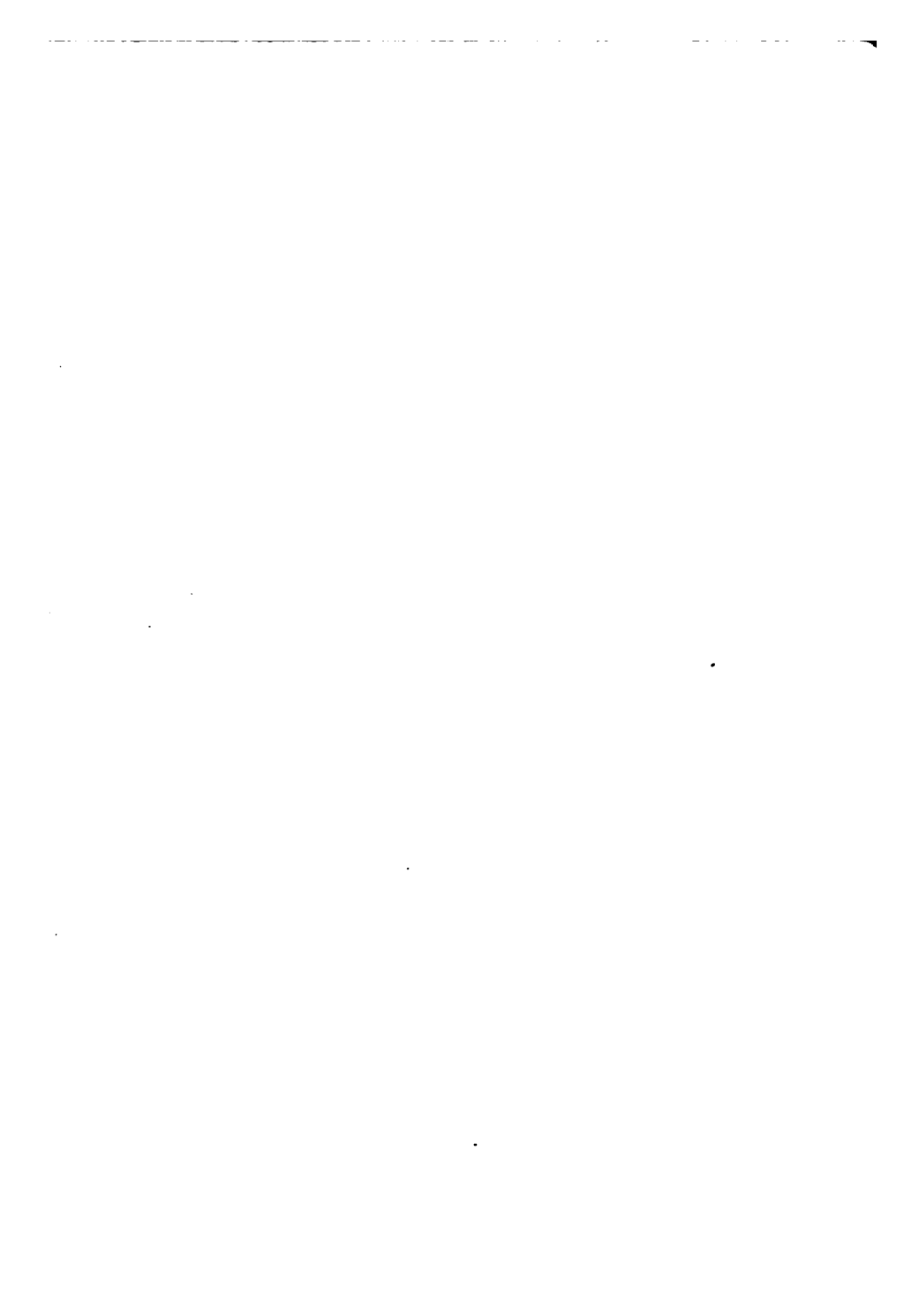
<sup>2</sup> Gibbon, ch. xxxvii, gives an excellent account. Cf. Milman, III, iv. For an exhaustive treatment of Monasticism, Montalembert, *Monks of the West*, 7 vols.

<sup>3</sup> See Ch. V, the contest for this on the part of Hildebrand. He probably had the laity on his side. Clerical opposition was in some localities overborne in Hildebrand's favor by public opinion. — Freitag, *Bilder aus d. d. Vergangenheit*, I, 519; Lea, *Sacerdotal Celibacy*.

<sup>4</sup> Creeds mostly grew up in the East; discipline and organization were the care of the West. Few now have any notion of the extent to which Roman ecclesiastical organization abides even in the most ultra-Protestant churches of to-day.

<sup>5</sup> Priests sometimes called *flamens*, heathen festivals turned into Christian, incense burned and votive offerings made in churches, etc. See Fisher, *Discussions in Hist. and Theol.*, 34 sqq.; Milman, III, i. So the papacy itself. 'If a man consider the original of this great ecclesiastical dominion, he will easily perceive that the papacy is no other than the ghost of the deceased Roman Empire, sitting crowned upon the grave thereof.' — Hobbes, *Leviathan*, pt. iv, xlvii.

<sup>6</sup> Purely ecclesiastical causes, of course, came before bishops' courts alone. Clergymen took civil litigations to bishops' court as a regular thing first under Justinian. In criminal cases clerks were held to appear in the civil court, until Valentinian III, 452, gave the plaintiff option between civil and ecclesiastical. Justinian sent certain clerical cases to each. Heraclius, 623, closed civil courts to clergymen altogether. Bishops were of course responsible to emperors, yet rarely was one condemned without the 'guilty' of a council.



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## CHAPTER IV

### THE DISSOLUTION OF ROME

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#### § I SIGNIFICATION AND SIGNIFICANCE

*Freeman*, Goths at Ravenna [Hist'l Essays, iii ser.]. *Gibbon*, xxx-xxxviii. *Sheppard*, I.

THE study of the decline and dismemberment of the Roman state is second to none in all history for either importance or interest. To an understanding of the mediæval or of the modern world it is indispensable. The external revolutions of the fifth century are a sufficient sign of altered times. At Theodosius's death (395) the empire presents nearly the same aspect as ever since Diocletian, yet before 500 the city is twice sacked,<sup>1</sup> and Western Rome, saved from Attila near Troyes<sup>2</sup> (451) only by a spasmodic effort lapses in 476. The Visigothic empire of South Gaul<sup>3</sup> and Spain dates from 415(-711), that of the Vandals in Africa from 429 (-534), the English in Britain from 449, the Frankish under Chlodovech<sup>4</sup> from 486, the Ostrogothic<sup>5</sup> in Italy from 493(-555). Henceforth, apart from the momentary splendor of Justinian's reign, 527-'65, old, great, historic Rome is no more. It is misleading to name this change a 'fall.'<sup>6</sup> Immense and momentous, it involved no sudden collapse even of government, the deposition of Romulus Augustulus being no crisis. It was rather

a transformation, a re-grouping of parts and forces. In a sense Rome exists to-day<sup>7</sup>: its language, law, municipal system, imperial idea in both church and state, as well as a mighty mass of unspecifiable influences in popular thought and life. The later Eastern and a later Western Rome each claimed, not without ground, to be the continued self of the old. And in such dissolution as did occur, energy was largely conserved, and elements passed to their new settings one by one. Rome broke up partly from internal causes,<sup>8</sup> partly from external. Attend first to the former.

<sup>1</sup> By Alaric, 410, by Genseric, 455. Radagaisus, only that he was beaten by Stilicho at Faesulae, would have plundered the city in 406. It is to aid Stilicho against Alaric in 410 that Honorius recalls the last Roman soldiers from Britain.

<sup>2</sup> On Attila and the Huns, Montesquieu, ch. xix, and Thierry in *Rev. d. d. Mondes*, 1852, 1855. The location of the great battle is best discussed by Wietersheim in an excursus to ch. xv in vol. ii of his *Völkerwanderungen*. He places it near *Méry sur Seine*, on the right bank, not far from Troyes but a good way from Châlons, where Gibbon and all older writers locate it.

<sup>3</sup> For long the Visigoths held far more than half of Gaul, i.e., to the Loire, and their capital was Toulouse [*Tolosa*]. Their frontier drew southward with Frankish advance [§ 17], and from 507 they were a merely Spanish power.

<sup>4</sup> I.e., Clovis, spelled as by Gregory of Tours, omitting the Latin termination.

<sup>5</sup> To complete the list of barbarian kingdoms on the soil of Rome add the *Suevic* in northwestern Spain from about 409 till absorbed by the Visigothic, the *Burgundian* in the valley of the middle Rhone, from about 413 till incorporated by the sons of Chlodovech [§ 17], 534, and the *Lombard*, which supplanted the eastern empire in northern Italy in 568, but 15 years after Justinian's conq., and existed under its own and the Frankish kings till 774.

<sup>6</sup> So Freeman, *Contemp. Rev.*, May, 1884, 668-678, also Oxford Inaug., 'the great central fact of European history, the growth and the abiding power of Rome.'



<sup>7</sup> See Bryce, *Holy Roman Empire*, 370, and Sheppard, i.

<sup>8</sup> On these, cf. Gibbon, xxxviii [end], lxxi; Montesquieu, *Grandeur and Declension*, ch. ix sqq.; Lecky, *Eur. Mor.*, I. Merivale, ch. lxviii; Blanqui, *Hist. of Pol. Economy*, ch. vi-viii. It has been well remarked that in the fate of Rome if anywhere history has to be accounted for by *Kultur*-history.

## § 2 MORAL DECADENCE

*Gibbon*, chaps. ii, vii. *Merivale*, xxii. *Mommsen*, V, xi. *Friedländer*, *Sittengesch. Roms*, Th. III. *Montesquieu*, ch. x.

The sturdy virtue of the early Romans, more theosophic<sup>1</sup> than rational in its basis, early gave way before Greek scepticism, whose attack, coincident in time with the full manhood of the Roman people, wrought here worse corruption and wreck than at home. Thus Roman toleration of religions sprung rather from indifference than from conviction. Debasing superstitions accompanied the relaxation of faith, often in the same person. Astrology, Bacchanalia and devil-worship engaged minds the most cultivated. These ill influences were heightened by acquaintance with the dissolute East and also by wealth. Riches were badly distributed, fortunes and waste inordinate. Millionaires like Lucullus, Crassus and Herodes Atticus vied with one another in useless expenditure.<sup>2</sup> In spite of passing improvement under the early empire, such luxury continued to breed every vice. Literature renounced noble aims, and art, after Hadrian, drooped to servile imitation.<sup>3</sup> While cities and villas were rich with its best products the real art spirit was dead, supplanted by oriental relish for the colossal. Greek artists themselves had now ceased to create. Zest for life was rare,<sup>4</sup> misanthropy, gloom, despair prevalent. Depravity so widespread and deep even

Christianity was unable to counteract otherwise than very gradually. The moral regeneration necessary to the salvation of the state could not be effected in season.

<sup>1</sup> Related rather to the Etruscan than to the Greek.

<sup>2</sup> Lucullus is said to have paid 50,000 denarii, above \$8,000, for a single supper. Pompey was worth 3½ million dollars, Aesopus the actor 1 million, Crassus at first 350 thousand, at the end of his career, after unheard-of largesses to the people, 8½ million. Were purchasing power regarded, these sums would have to be much enlarged, perhaps doubled. We read that \$750,000 were once paid for a city house, \$200,000 for a country villa, \$1200 often for a horse, \$50,000 once for a table of an African wood. Pliny declares that articles from India often appreciated 100 fold in coming to Rome. Table luxury was worst. Guests often took emetics after feasting. — Mommsen. See *ibid.*, vol. iv, 614 sq., for the *menu* of such a feast, and for the debts of certain great Romans. Atticus, as became a preceptor of Aurelius, confessedly spent money more rationally, viz., in embellishing Athens, yet industrial investment was then more needed than gorgeous theatres. For the terribly interesting picture which Ammianus draws of the Romans at the time of the Gothic invasion, see Gibbon, vol. iii, 252 sqq. [ed. Miln.]. The Romans ate little beef, much pork. Flamininus, in Plutarch's life of him, relates that dining once with a friend, he demurred at the large number of courses. 'Be easy,' was the reply, 'it's all hog's flesh, differing only in cooking and sauce.'

<sup>3</sup> On art at Rome see Ch. III, § 5, and notes; also Friedländer, III, ii.

<sup>4</sup> Too many of Seneca's fine precepts are to direct how life may be *endured* rather than how it may be *used*. Strange that he should ever have been thought to have learned of Paul.

### § 3 THE INFLUENCE OF THE CHURCH

*Thierry, Tableau, Liv. V. von Sybel, Kleine hist. Schriften I, 27 sqq.*

While doing so much to render Rome eternal in one way,<sup>1</sup> the church, herein comparing unfavorably with Stoicism,<sup>2</sup> not only failed to enforce or to cultivate the civic virtues but even antagonized these, becoming a most energetic solvent of political society. Christians

believed the end of this world imminent, preparation for the next, man's sole legitimate business.<sup>3</sup> This engrossing thought regulated all their views of duty. Retirement from active life was honored and rewarded. Tertullian boasted that 'nothing was so foreign to Christians as public affairs.' Till Constantine, the empire was usually identified with Antichrist, speedily to be consumed in the final fire.<sup>4</sup> Theological strifes tended to the same result. That over Arianism shook the world. The Donatists aided the Vandals. Catholic, especially clerical, influence, opposing Arian kingdoms indeed, yet decisively supported the invading Franks and Burgundians, so soon as orthodox. The East, home of metaphysical refinements, where theology became matter of discussion for the populace as for the learned, suffered total political paralysis through the mutual hatred of sects.<sup>5</sup>

<sup>1</sup> It 'maintained and propagated afresh the feeling of a single Roman people throughout the world.'—Bryce. Cf. Fisher, Discussions, 45 sqq. Guizot is not rash in holding that it was alone the church with its organization so solid and central that saved Christianity in the invasion-period, and Christianity was through many ages, at least in the West, Rome's affair. Church and clergy did much also to conserve Roman law. Savigny's great work has a ch. on this. *Venerandae romanae leges*, wrote a 9th century pope to the Franks, *divinitus per ora principum promulgatae*.

<sup>2</sup> Roman Stoics exalted service to the state as especially meritorious. Witness Aurelius, who with fatal self-forgetfulness 'readily exposed his person to eight winter campaigns on the frozen banks of the Danube.'—Gibbon.

<sup>3</sup> Even Augustine, in his *Civitas dei* declares that nothing on earth is of value save faith. Men have but one task, care for a future life. Safety in this regard is secured solely through the church. All human efforts are to be for the church. The state exists for her. So does the emperor. If he refuses her service he is but a robber-king, a servant of the devil.

<sup>4</sup> Christians took account of Paul's words: 'The powers that be are

ordained of God,' but supposed them ordained for sinners only, hence destined to be done away by the progress of Christianity. 'We look up to the emperor,' argues Tertullian, 'as one whom our God has elected. Cæsar is ours all the more as being appointed [*constitutus*] by our God.' —Apology, 34. But the state might be from God yet carried on by Satan. Christians, continues Tertullian's Apology, 678, must needs pray for the state because although the end of the world is approaching it is retarded by the presence of the empire.

<sup>6</sup> E.g., in the iconoclastic strife. See Gibbon, xlix. It was much the same in all the controversies named in § 19. For the fight over Arianism, Gibbon, xxi; for that against the Paulicians, *ibid.*, liv.

#### § 4 DEATH OF THE MILITARY SPIRIT

*Gibbon*, chaps. i, ii, vii, xvii. *Mommsen*, V, xi. *Montesquieu*, chaps. ix, xvi.

Rome's early victories were gotten by citizen-soldiers, receiving small<sup>1</sup> pay or none, moved alone by zealous devotion to the state. Later, increased power relieved the citizens from the necessity of campaigning, while wealth enabled them to enlist provincials and foreigners. The service became splendid but mercenary, the soldiery a virtual caste, Roman only in name, fighting not for a cause but for a commander, their motive no longer patriotism but pay. To say nothing of innumerable *laeti* and auxiliaries,<sup>2</sup> the regular soldiers of the later empire, praetorians,<sup>3</sup> generals and all, were of barbarian stock, many of them born beyond the Roman pale. Even slaves were mustered in. No bond remained between soldier and burgher; the less, as, to prevent revolts, burghers were forbidden to keep arms. Slowly but inevitably resulted: 1 Indisposition to military duty on the part of citizens when again wanted. Conscription even availed little, being eluded by flight or self-mutilation. 2 Unfitness therefor of such as did enter

the army. 3 Total helplessness against invaders, the Roman armies being beaten. 4 Danger to the state, especially from praetorians, after the decline of discipline which inevitably followed the soldiers' discovery of their importance. 5 Gift of military education to hosts of officers and soldiers who used it against Rome.<sup>4</sup> 6 Poverty through wages and bounties to soldiers and payments to threatening nations as price of peace.

<sup>1</sup> In early Rome military service was an honor, almost a mark of aristocracy. It was an epoch when, soon after v.c. 300, B.C. 454, Rome began to pay her soldiers regular wages. So late as the Punic wars the soldiers were burgesses and yeomen. T. Quintius Flamininus, consul v.c. 556, B.C. 198, was the first Roman general to enrol proletarians in the legions. It was still mainly a burgess-army till its reorganization under Marius. On this see Mommsen, IV, vi. After Marius, enlistment, not levy, was the great means of recruiting, yet to the very latest times the Roman army was formidable, a miracle of fighting energy. Under Constantine's successors the regular army commonly numbered about 645,000.

<sup>2</sup> The *laeti* were the soldier-colonists along the German border. They made themselves villages for camps, and did no fighting save as invasion was attempted. The arrangement was begun by Alexander Severus, 222-'35, that 'young philosopher who brought back for an instant the beautiful days of the Antonines, and in whose reign the old civilization shot up its last beam of glory.'—Secretan, *feodalità*, 18. Lands were given to the *laeti* first by Probus, 276-'82, who thus colonized some thousands of Franks on the Rhine, where population had grown thin through barbarian attacks. The auxiliaries or *federati* were non-Roman *armies* with their own commanders, accoutrements and discipline, in the service of Rome. The Visigoths under Alaric bore for a time this relation. In the legions officers were old-Romans far longer than the rank and file.

<sup>3</sup> The famous jurisconsult Ulpian lost his life, A.D. 228, in trying to quell a rising of the praetorians commanded by him as *praefectus praetorio*. The number of these famous guards was much reduced by Diocletian and all were done away by Constantine. Constantine also multiplied the number and reduced the strength of the legions. On these and the other military and the civil changes of this emperor, Gibbon, xvii. In the East, Justinian again united the two species of power.

\* Not in the civil wars alone. Maroboduus and Arminius had both been educated among the Romans. Of course the mere fact that under the empire we find so many non-Italians in Rome's service is not of itself any proof of Rome's decay. After Caracalla, 212, if they were subjects they were Romans, wherever born. Yet Syrian, Egyptian or Dacian soldiers would certainly be far less likely to have or to retain Roman patriotism than those born in Italy.

### § 5 POVERTY

*Mommsen*, IV, x. *Guisot*, *Civilization in France*, Lect. ii, vii. *Duruy*, *Moyen Age*, I, i. *Blanqui*, *Hist. of Pol. Economy*, vi-x. *Dureau de la Malle*, *Écon. politique des romains*, 2 v. *Savigny*, *Römisches Recht im Mittelalter*, I, ch. ii.

This had other and larger sources : 1 Slave<sup>1</sup> labor, making free disgraceful. 2 Donations to the populace for bread and shows. 3 Expense of the gorgeous imperial court, doubled after Theodosius.<sup>2</sup> 4 Gifts to the church by emperors and by private persons. 5 Withdrawal of soldiers and monks from the producing class. 6 The burdens and bad incidence of taxes, especially from the time of Constantine.<sup>3</sup> It was in fiscal matters that Roman administration was least wise : it not only taxed needlessly, for favorites, actors, gladiators, largesses and the like, but at the same time discouraged production or closed its avenues. Select classes of persons were exempted from public dues, customs were oppressive and irregular, the taxed were crushed utterly. The result, a fatal one, was the erasure of all middle class from the population.<sup>4</sup> Each body of curials was held responsible for the revenues from its district. A curial could alienate only by permission, lost one-fourth by marrying a non-curial, if heirless could bequeath but a fourth. Curials in numbers sought the army and the priesthood, but fresh laws were passed to chain them. Many turned coloni ; some, robbers. Wealth became

massed in few hands. The great enjoyed their carriages of solid silver, golden villas and palaces and leagues of beautiful parks. Farms often covered five hundred square miles, being tilled on shares by coloni, a class constantly recruited from the poor free, who rushed countryward on the failure of bread-donations in town. Yet scarcely a quarter of former crops was obtained. Through many tracts that had earlier been as gardens, one could travel for days without seeing a human dwelling. A third of Africa and two-thirds of rich Campania were without an inhabitant. Wide reaches of Umbria and Etruria were grown up with briars and pastured by swine.<sup>5</sup>

<sup>1</sup> On Roman slavery see Gibbon, ch. ii, with Guizot's and Milman's notes, also in Lea's Studies, and Mommsen as at next §. Secretan thinks this about the sole cause of Rome's ruin — *Stadialitt*, 37 sqq., a fine discussion.

<sup>2</sup> Who restored to the West [but not to the city of Rome] the honor of imperial residence. Honorius, his younger son, was to have his seat at Milan, Arcadius, the elder, his at Constantinople. — Gibbon, xxix. Upon the approach of Radagaisus, Honorius removes to Ravenna, which henceforward remains the imperial centre for the West.

<sup>3</sup> Political disorder might be mentioned as a seventh source, but it became prominent too late to be of great consequence. During all the proud time of the empire property was as safe and justice between man and man as swift and sure as they have been in any period of history.

<sup>4</sup> On the wretchedness of the later curials, Savigny, Guizot and Duruy as above. Savigny prefers the word 'decurion' [*decurio* — perhaps from *decem* and so = tithing-man or *tunginus*, or better, from *de* and *curia*, 'one of the curia']. Duruy, p. 22, briefly states the main features of the imperial tax system. The principal tax was upon land, the 'indiction' whose rate Constantine, or, according to Mommsen, Hadrian, fixed as once in 15 years [cycle of indictions]. Earlier the period had been 5, and in Egypt 1. Even now there were frequent and unheralded 'superindictions.' — Mommsen [in *Röm. Alterthümer*, V], *Staatsrecht*, II, 945, where he suggests the Egyptian origin of the 15-year period. Elagabalus enforced

taxes in gold, his government paying its dues in debased silver at nominal value, which recipients had to use at its real value in purchasing their gold. Customs-duties were not protective in nature but numerous and high. The same article would often be tolled a dozen times. This grinding to death of the middle class harmed the empire more than all the ravages of the barbarians.

<sup>6</sup> See Essay i in v. Sybel's *Kleine hist. Schriften*, I.

## § 6 OCCULT INFLUENCES

*Mommsen*, III, xii; V, xi. *Jacob*, Production and Consumption of Precious Metals, vii-x. *Garnier*, *Histoire de la monnaie*, II, xvi-xx. *Dureau de la Malle*, as at § 5. *Blanqui*, as at § 5, vii, viii, xxiv.

Certain ultimate causes of Rome's decay lay very deep. Not indolence nor alone gratuities of corn or any form of maladministration begot the widespread wretchedness above described. Rome's peculiar history had kept from her the secret of wealth-production, and so soon as no rich lands remained to conquer, her resources began hopelessly to shrink.<sup>1</sup> In Italy and the regions about Constantinople long importation of food, partly enforced and partly natural, had induced desuetude of agriculture. Land was cheapened and thus massed in latifundia, the absolute form of tenure which centuries of Roman land-law development had produced, placing it, when donations failed and it was again valuable for cultivation, beyond reach of the poor. The bane was aggravated by the *lex Claudia*, forbidding senatorial houses to engage in commerce. They invested in land, worked by slaves on a large scale. The peasants were reduced to coloni, serfs, only better than slaves.<sup>2</sup> Still deadlier to industry was the slow rarefaction of money and the consequent fall of prices that set in early in the history of the empire. The product of

the mines fell off, ceasing by 476, and the influx of precious metal from remote parts ended along with conquest, the stock in the form of wares and trinkets being at the same time too small to spare much for coinage. A vast amount of coin was exported in return for luxuries. Paper money was unknown. The purchasing power of gold and silver rose, that of other things fell. Instead of being productively used, money was hoarded.<sup>8</sup> Both this and the massing of land became worse evils, of course, with increase of political disorder.

<sup>1</sup> 'You would be rich,' said Julian to his mutinous army, 'then let us march upon Persia. For the riches of Rome are no more, her cities in ruins, provinces desolate, treasury exhausted, — *all owing to those who persuaded our princes to purchase peace from the barbarians.*'

<sup>2</sup> Pliny said, *latifundia perdidere Italiam*. They caused poverty not only directly, but also through great reduction of population, since with the advance of slavery the family relation was ignored. The *lex Claudia* passed just before v.c. 536, B.C., 218. The ancient world had no manufactories of the modern kind, only immense private shops with slave-artisans. Nor any great industrial cities like Lowell or Fall River, or any commercial like Liverpool, Hamburg or New York. Vespasian and Titus ended use by the poor of the common lands. Being unable to live wholly from their small farms, they incurred mortgage debts on these, which fewer and fewer could pay. Thus not only did petty estates pass into latifundia but the old owners had no resource but to work these for the purchasers, for  $\frac{1}{3}$  or  $\frac{1}{4}$  the crop. Such *coloni* at first commonly rented for 5 years, but the same causes that had made them tenants inclined them to wish leases to be as long as they could secure. Leases came to be made for 100 years and hereditary. Some were perpetual. Thus men who had been free became chained to the soil, so that at last only marriage outwardly marked a *colonus* from a *slave*. Really there was always this other difference that the serf could not legally be torn from his land or forced to pay more than the stipulated share for its usufruct. This description applies best to Italy and Gaul. — Leo, *Gesch. d. Mittelalters*, Bd. i, 22 sqq.; Guizot, *Civilization in France*, vii; Thierry, *Third Estate*, ch. i.

<sup>3</sup> For the industrial asphyxia resulting from falling prices, see F. A. Walker, *Money*.

## § 7 LACK OF UNITY

*Guizot, Essais sur l'histoire de France, I.*

Rome could incorporate nations, but 'in the absence of those vast and frequent relations which give men community of ideas and reciprocity of interests,'<sup>1</sup> could not assimilate or unify them, so many and distant were they and so poor the then means of communication. In spite of best endeavors to this end, the empire never became a living organism. Rather was it to the last an agglomeration of peoples who, however much they rejoiced in the Roman name, citizenship and 'peace,' had no concert of political feeling or action. No one man could in troubled times, or properly in tranquil, direct imperial affairs. Society lacked chemical not less than mechanical homogeneity. Dire evils in this regard were: 1 The prevalence of guilds.<sup>2</sup> 2 Dichotomy of society into aristocracy and actual or virtual slaves,<sup>3</sup> antipodal ranks, in deadly mutual hostility, both totally destitute of patriotism. 3 The most fatal internal cause of Rome's disintegration: separation between municipal and general-political interests and rights. Officers of government, a close corporation, cared only for the general; all other citizens, the great mass, only for the local, the municipal, a condition of things proved by history inconsistent with either a free state or a strong.<sup>4</sup>

<sup>1</sup> Guizot. Such unity, he adds, 'may be for a time effected by compulsion or by the ascendancy of some superior man, but such forces are not permanent. No state can be permanent unless its roots and causes are in society itself, in the physical and moral relations of the men who compose it.' Hence broke up Karl the Great's empire and that of his perhaps more powerful contemporary, Haroun Alraschid. The efforts of Diocletian and Constantine, and again of Theodosius, to divide the imperial headship

between different parts of the empire did little good, perhaps on the whole aggravated the evil they were meant to check. — Thierry, *Tableau*, 193. Practically, the Roman world was larger than the entire globe to-day. Cf. Curtius's *Rede* [1881], *Reichsbildungen im kl. Alterthum*.

<sup>2</sup> On guilds, Thierry, *Tableau*, 201; Duruy, *Moyen Age*, 23.

<sup>3</sup> Virtual slaves, see last §, n. 2; actual, § 5, n. 1. The body of the Roman people would be now i) the poorest curials, ii) the coloni or serfs, and iii) the slaves proper. — Duruy, 21 sqq.

<sup>4</sup> Says Guizot, further: *Pour que le droit existe sûrement quelque part il faut qu'il existe partout; que sa présence au centre est vaine s'il n'est présent aussi dans les localités; que sans les libertés politiques il n'y a point de libertés municipales solides, et réciproquement*. — p. 46 of the vol. named above. Guizot never improved upon these old essays. His ampler lectures merely popularize them. Essay i illustrates the doctrine from modern history. The third estate early secured influence in the French communes [see Ch. VI]; but having, in spite of those centuries of effort, beginning with the 13th, secured no powers of a general political nature, it obtained no liberty. Cf. Maine, *Anc. Law*, 347.

## § 8 THE PRIMITIVE GERMAN

See bibliog. to this Chapter, at end. Mommsen, Bk. VIII, iv. Thierry, *Tableau*, VI, i. Sheppard, iii-viii.

Yet Rome might have stood long, perhaps, by incorporating new elements of life, even till now, but for the inroads of the barbarians. Between these and the empire, the Rhine, the Danube and the Roman wall had till nearly A.D. 375 formed an efficient dividing line. Three great belts of peoples dwelt beyond, (i) farthest north and east certain non-Aryan<sup>1</sup> tribes, (ii) nearest them some Slavic, (iii) skirting the empire, leaders in attacks, the Germans.<sup>2</sup> History first hears of the Germans about 320 B.C.<sup>3</sup> Their contact with Rome begins 113 B.C., the date of their victory over the consul Cn. Carbo at Noreia. It continues through the periods (1) of Roman superiority, to the defeat of Varus,<sup>4</sup> 9 A.D., (2) of equilibrium, to

the death of Aurelius, 180, (3) of German superiority, to 375, (4) of the founding of German kingdoms in the empire, to 568. Ever after Marius crushes the Cimbri,<sup>5</sup> 101 B.C., are hordes of Germans on Roman soil, at length forming an important element in the population, (a) as slaves, (b) as coloni, (c) as legionary soldiers, (d) as laeti, (e) as auxiliaries, (f) as hostages, (g) as individual adventurers. Many of the last obtained high Roman offices, civil and military.<sup>6</sup> Till the fourth century Germans settled in the empire as Romans; thenceforward most retained a pronounced German feeling. From 375, which is therefore an epoch, the invaders brought ideas of German preponderance and conquest. The springs to German emigration were mainly tribal feuds, overpopulation combined with indolence and ignorance of agriculture, and pressure from non-Germanic peoples.<sup>7</sup>

<sup>1</sup> I.e., Lapps, Finns and Huns. See Freeman, *Hist'l. Geog.*, i, § 3. Cohausen has a work entitled *Der römische Grenzwall*, full of information on the northern line of the empire.

<sup>2</sup> See map. Shortly before the great migration, the East Goths [Ostrogoths] held southern Russia, the West Goths [Visigoths] eastern Hungary and Roumania, the Vandals southwestern Hungary, the Sueves Moravia, Bohemia and Bavaria, the Alamans Würtemberg and Baden, the Burgundians from the Neckar to the Main, the Riparian Franks both banks of the Rhine about Cologne, the Salian Franks the Rhine-mouths, the Saxons the lower Elbe, the Lombards higher up this river to the southeast, the Thuringians its southern head-waters. The Alans, aside from the Huns nearly the sole non-Teutonic invaders, came from the lower Volga.

<sup>3</sup> From Pytheas of Marseilles, who made a voyage of discovery northward along the Atlantic coast. He did not go far inland. The name 'Germani' appears first in Caesar, who uses it as a collective term. The people themselves had then no common title. Waitz, *Verfassungsgesch.*, bd. i, 23 sq., discusses the point at length. He thinks 'Germani' of Celtic origin and Tacitus right in his view of it as at first the designa-

tion of a tribe, applied generically by Caesar. 'Deutsch' or 'Teutsch' [= 'Teuton?'] was first used about 813, signifying 'domestic' as contrasted with Latin. It meant primarily the *language*, and soon the collective *people*, Saxons, Suabians, etc., revealing the growth of German national feeling. The term occurs first in an Italian document. As to the etymological meaning of 'German' or of 'Deutsch' ['Teuton'] only guesses have been offered.

<sup>4</sup> Merivale, xxxviii, interestingly recounts this sad story. So does Kaufmann, *Deutsche Gesch.*, I, ii.

<sup>5</sup> Mommsen, vol. iii, 217, also v. Sybel, regards these people as undoubtedly Germans. The battle of 101, so fatal to the Cimbri, was at Vercelli, in No. Italy. That of 102, at Aix, in France, was with the Ambrones and Teutons. — Mommsen, vol. iii, 232.

<sup>6</sup> Such as Stilicho and Arminius, the one a Vandal, the other chief of the Cherusci. Arminius had the Roman *civitas*. Maroboduus was a Sueve. He came to Rome young, as a hostage. Augustus liked him and gave him a liberal education. Theodoric the great Ostrogoth spent years at Constantinople as a hostage, was then Zeno's ally, i.e., commanded a Gothic army under Zeno, and at last, becoming formidable, was sent to make Italy his kingdom, snatching it from Odoacer. Ricimer, the distinguished lieutenant of Aetius under Valentinian III [424-450], was a Sueve.

<sup>7</sup> Thus the cause for the decisive incursion of the Goths, 375, though Ranke inclines to question this, was an overwhelming onset by Huns. The descent of Sueves, Alans and Vandals upon Gaul and Spain, 406-407, was also to escape Huns. Mere love of adventure or of plunder probably had less to do with these movements than has been supposed.

## § 9 THEIR CULTURE

*Gibbon*, chaps. ix, x. *Guizot*, *Civilization in France*, Lect. v, vii. *Green*, H. of Eng. People, chaps. i, ii. *Tacitus*, *Germania*. *Arnold*, *Urzeit*, *Nilsch*, I, i, ii. *Maine*, *Village Communities* [see lit. at p. 398]. *von Sybel* in *Kl. hist. Schriften*, I.

As pictured by Tacitus the Germans were taking the first steps in civilization. Their susceptibility therefor was great, progress rapid. At the time of the migration the Goths especially had considerable culture though as yet no writing.<sup>1</sup> Significant that among the northern

nations Germans alone founded kingdoms in the empire. German social, judicial, economic, and administrative arrangements are each noteworthy,<sup>2</sup> also their personal bravery and dislike of city life. The German trait most weighty for history as well as most anti-Roman was individualism, seen : 1 In private relations. If females and slaves were chattels, the free *man* was, in his person and his domicile, almost above law. Yet family and clan were important. 2 Politically. There was never a pan-Germanic nation or even federation, and loyalty to government was scarcely conceived. Nations divided, clans and individuals seceded, on the slightest provocation. Nothing was commoner than joining a foe to fight one's own nation and kin.<sup>3</sup>

<sup>1</sup> There was no German alphabet till the Mœsogothic of Ulfilas, who died 388. It bore this name because first used by the Goths in Mœsia, whither no Goths came till about 250. The runes were not letters, though perhaps utilized by Ulfilas in forming his alphabet.

<sup>2</sup> We can only touch this entertaining theme, referring for ampler treatment to the works named above and at end of bibliog. to this Ch., esp. to Waitz, Sohm, Arnold and Kaufmann. Best brief account, wholly trustworthy, is in chaps. ii and iii of Stubbs's Const. Hist. of England. The social classes were nobles, free, freedmen, serfs and slaves. Nobles received respect but had no extra political rights. Women were greatly honored but without rights. Slaves were prisoners of war, criminals or self-sold through gambling. They had no rights but were well treated. All the free participated in the land, in war, and in the conduct of political affairs. The general assembly of the free, in every tribe, each new and full moon, decided all things, being legislature, court, and executive. Special leaders, *Herzoge*, not necessarily nobles, were selected for war, and *principes* to preside in the assembly and to execute its behests. A murderer could compound with the dead man's family by paying *Wehrgeld*. If he did not do this, personal vengeance, *Blutrache*, against him was not only legal but a duty resting on the family [*Fehderecht*]. Obdurate peace-breakers were outlawed, declared *vogelfrei*. As among primitive Indo-Europeans everywhere, land was held in common [the Mark-System],

house-lots and gardens alone excepted, and in Cæsar's time the cultivating communities of each tribe were made to interchange localities yearly. The practice had ceased when Tacitus wrote, but the arable lots of each Mark-community still changed occupants yearly in rotation. These Mark-groups seem to have been the fragments into which broke up those clans which all over the Indo-European world succeeded primeval patriarchalism. A French law of 574 first made children instead of clansmen heirs to one deceased. Stubbs, ch. iii, is the best brief account of the Mark-system. For a fuller, Schæffle, *Bau u. Leben d. sozialen Körpers*, iii, 410 sqq. To the stone and brass implements of an earlier day iron had been added by the time of the migrations. No metal money till contact with Romans. Cattle and grain raising were the chief pursuits, the work being done by women and unfree men. There were no cities and in Cæsar's time no fixed villages. Their grains were oats, barley and wheat, besides which they raised vegetables and flax. They had horses, cattle, sheep, swine and geese, but took no pains in breeding these as they did to improve their dogs and hawks for hunting. Stags were sometimes tamed for the chase, sometimes harnessed to wagons. Ross, Early H. of Land-holding among the Germans, learnedly argues against the above, that the primitive historical Mark-group consisted of slaves, that hence individual, or feudal, proprietorship in land already subsisted. The view is ridiculed by Maine and has found acceptance nowhere. H. B. Adams discusses in a brochure the 'Germanic Origin of the N. E. Town.' The phrase misleads. Our town is most significantly related to the German village but not in the way of historical continuity. See Ch. II, § 5, n. 1.

<sup>8</sup> Hence nearly all the nations were mixtures of many tribes. Maroboduus and Theodoric both tried to form a general German confederacy but found it impossible.

## § 10 THEIR CONSTITUTION

von Sybel, *Entstehung d. d. Königthums*. Dahn, *Könige d. Germanen*. Waits, *Verfassungsgesch.*, I. Fiske, *American Pol. Ideas*, ii.

The question has been much discussed whether Germany before the invasions at all possessed proper political as distinguished from patriarchal institutions. Von Sybel, on the basis of strong statements in Cæsar and Tacitus, earnestly maintains the negative. They lived,

he thinks, in half-nomadic clans, making their military excursions under mere chiefs of bands, who only in rarest cases deserved or received the kingly title, and developing even the beginnings of true states only as trained by the Romans. With this view French writers generally agree. Most Germans, however, like Waitz, refer the German state, with the veritably political elements of king, army and judiciary, to purely German times. The truth seems to lie between the two views, yet substantially more with von Sybel.<sup>1</sup> The clan and its judge or princeps must have had a quasi-public authority so early as Cæsar, although there were then no proper kings; but Tacitus speaks of German kings, distinct from duces<sup>2</sup> and principes, and later such references are common. On the other hand, considering Cæsar's words, the proverbially brittle character of German political society, the weakness of kingship among the Germans when it does appear, and the existence still of democratic tribes, we cannot account Teutonic royalty at least, older than our era.

<sup>1</sup> Cæsar, Gallic War, VI, 23, says expressly: *In pace nullus est communis magistratus, sed principes regionum et pagorum* [i.e., of tribes and of villages] *inter suos ius dicunt, controversiasque minuunt*. He also says: *Quum bellum civitas aut inlatum defendit aut infert, magistratus qui eo bello præsint, ut vitæ necisque habeant potestatem, deliguntur*. Cæsar got his information from the Gauls, who would have known of German kings had such existed. He [Gallic W., I, 35] calls Ariovistus 'rex' but evidently only *honoris causa*, as named so by the Roman senate. We cannot tell how far back Roman influence in Germany began. Ariovistus at 58 B.C., was well acquainted with affairs at Rome [Gallic W., I, 45] and somehow received tidings thence scarcely less promptly than Cæsar. Such facility of communication did not grow up in a day. The Germans' glory is not to have had little to learn from Rome but to have learned so much and with such aptitude. Fustel de Coulanges [Rev. d. d. Mondes,

15 Mai, 1872] goes much farther than v. Sybel, considering the Germans even at the time of their entrance into the empire little better than savages, like Attila's bloodthirsty mob a few years after, and denying that they made to the civilization of Europe a single original contribution, political or other. This is the French extreme. Yet Sir H. Maine, *Pop. Govt.*, 3, presents nearly the same view.

<sup>2</sup> *Reges ex nobilitate, duces ex virtute sumunt.*—*Germania*, c. 7. On this passage, Roth, *Beneficialwesen*, 2. Jordanis makes Valentinian III, in 451, send to the Visigoths and to their 'king.' Fredegar speaks of 'king Chlodovech and his Franks.' Kingship did not involve command of the host, or an especially efficient authority, or the non-necessity of election. Kings in fact differed from principes in little except that heredity was observed in their election, each being elected from the same family as his predecessor, which came to be known with time as the royal family, elevated above other noble families.

## § II THEIR MILITARY SYSTEM

*Freeman*, Growth of Eng. Constitution, 40 sqq. *Stubbs*, ch. ii. *von Sybel*, *Entstehung*, ii, § 7.

With the Germans, army and people were identical conceptions, every freeman being a brave. The Herzog, specially chosen for his valor, led forth two kinds of public forces proper: the *élite* infantry, consisting of the 100 champion fighters from each *pagus*, and the general body of freemen, arranged by families. They fought in wedge form, without reserves, bearing shields, spears, bows, clubs, hammers and battle-axes. Swords and coats of mail were late. But perhaps the chief source of German efficiency in war was the *comitatus*-institution,<sup>1</sup> a system of land-privateers or bands of professional warriors. Each man of sufficient means and fame for valor had, or might have, his company, his family, of these military comrade-followers, free, sleeping at his hearth or his camp-fire, receiving from him living and accoutre-

ments, and voluntarily bound to accompany him in war, into the thickest of the battle, to conquer or die with him, but never retreat. The tie could be dissolved at pleasure, only not in face of the foe. The flower of the German youth were to be found in the *comitatus*; many spent so their entire lives.

<sup>1</sup> This is especially important to an understanding of feudalism. See Ch. VI, § 4. Montesquieu, *Spirit of the Laws*, XXX, iii, iv, sees in the German *comitatus* and its chief, feudal vassals and their suzerain already present; upon which Guizot neatly remarks: *il eût du se borner à les prévoir* [He should, instead of *seeing*, merely have *fore-seen*]. The *comites*, as members of the *comitatus* were called, were usually mounted, perhaps always, though often dismounting in fight. On the death of a *comes* his military outfit returned to his princeps or chief, a custom leading to the 'heriot' of English feudalism. See the author's *Inst. of Constitutional Hist.* I, § 3, 4.

## § 12 THEIR RELIGION

*Grimm*, Teutonic Mythology. *Cox*, Mythology of the Aryan Nations. *Milman*, III, ii. *Freitag*, *Bilder aus d. deutschen Vergangenheit*, I, 4. *Merivale*, *Continental Teutons* [in *Conv'n of the West*].

The Germans were deeply religious, yet for pagans little superstitious. Their priesthood was too weak to tyrannize, their investment of natural forces with divinity poetic rather than theological. The supreme Power, conceived by other Aryan heathen as light, sky or sun, they worshipped as the Good, a moral being, 'Gott,' 'God,' this word existing without an article in all the primitive dialects. Owing in part to their lofty and ethical<sup>1</sup> notion of the godhead, the Christian faith found here readier acceptance than among any heathen elsewhere. Other reasons concurred. Worship was held in groves instead of temples, originally and to the last mainly, without idols. No monumental art, as in Greece

and Rome, reminded converts of their ancestral rites. Woden, Donar and Ziu furnished a schema helpful to faith in the Trinity.<sup>2</sup> With the ideas of retribution, vicarious sacrifice and a future destruction of the world by fire the Germans had long been familiar. They elected to office, as the church its bishops, were given to hospitality, and had a species of eucharistic observance for keeping fresh the memory of the departed. Donar was in some localities the prototype of Peter,<sup>3</sup> in others of Judas.

<sup>1</sup> Yet the Germans on occasion offered human sacrifices, prisoners and slaves being sold for this purpose so late as the 8th century. The Irminsul appears not to have been an idol. — Milman, vol. ii, 476. Clotilda begs Chlodovech to 'neglect idols,' but may have meant only an injunction to renounce his heathen rites.

<sup>2</sup> Besides names for the days of the week [exc. Saturday], this northern paganism contributed to Christendom the Christmas tree, successor to the sacred Yule tree of our German ancestors, which the early missionaries denounced and made every convert cut in pieces. Celts, Romans and Slavs knew nothing of it. With the Scandinavians and probably the Angles and Jutes the ash, in central Germany the pine, was the consecrated tree. The Edda makes Ygdrasil or the world-tree an ash.

<sup>3</sup> Riehl has it that upon very many old seats of the Donar-cult, hills always, churches of St. Peter were erected and churches of St. Peter still stand.

### § 13 THE MIXTURE

*Guisot*, Civilization in France, esp. Lect. v, vii, viii. *Stillé*, ii, iii. *Kaufmann*, *Deutsche Gesch.*, II. *Blanqui*, H. of Pol. Econ. x. *Milman*, as at § 12. *Giesebrecht*, bk. i.

The Germans came seeking homes, hence though as victors, not as destroyers. Imperial domains, probably too all unclaimed lands, passed to the kings, to be by them utilized directly or let as fiefs. Subjects were provided for by appropriating private lands. This pro-

cess was various in different kingdoms. In Britain and proconsular Africa,<sup>1</sup> owners were totally dispossessed. The Ostrogoths took one-third, the Burgundians first one-half, then two-thirds, the Visigoths two-thirds, the Franks none till south of the Loire.<sup>2</sup> The Vandals, Franks and Saxons made the seizure with violence; the Goths and Burgundians under forms of the *ius hospitale*.<sup>3</sup> In some districts the two peoples were thoroughly amalgamated, in others, formed alternate communities, elsewhere one or the other failed. Urban populations long remained almost solely Roman. All these conditions found place in France alone. Local government, diocesan, provincial or municipal, went on in many places long after all connection with the imperial capital had ceased. Ægidius and his son, Syagrius,<sup>4</sup> kept Roman authority in exercise between the Somme and the Loire till 486. Establishment of barbarian administration did not at once displace Roman, but the two prevailed together. Confusion of nationality was greatest in France, where the old was not pure Roman, the new not pure German. While the cultivated Gallo-Romans everywhere used Latin, about 500, Saxon was to be heard at Bayeux, Tartar in part of Poitou, Celtic<sup>5</sup> in Armorica and among the old peasantry elsewhere, Alan at Orleans, Frankish at Tournai, Gothic at Tours and throughout the south.<sup>6</sup>

<sup>1</sup> I.e., the province of Africa, nearly coincident with the old kingdom of Carthage. The Vandals clustered here, for the purpose of mutual assistance. Elsewhere in Africa Romans kept much.

<sup>2</sup> Because public lands sufficed. When they crossed the Loire and drove hence the Visigoths, they appropriated private as well as public. Chlodovech's earliest conquests seem not to have been attended with a very great influx of Franks. — Roth, *Beneficialwesen*, 63.

<sup>3</sup> *Ius hospitale* was a Roman administrative arrangement for quartering auxiliary forces upon the people. Both the great Gothic nations entered the empire as auxiliaries.

<sup>4</sup> Gregory of Tours speaks of Syagrius as 'king of the Romans.' His capital was Soissons.

<sup>5</sup> The western part of Armorica took the name Brittany from the hordes of British Celts who settled there during the latter half of the 5th century, having been driven from Britain by the invading Saxons.

<sup>6</sup> Besides, the Franks themselves were a composite people, a confederacy of tribes that gradually blended. Clovis at Tournai was only one of several petty Frankish kings. By combined force and guile he soon subjected the others.

## § 14 DISPARITY AND CONFLICT

*Milman*, as at § 12. *Guisot*, Lect. vii. *Kaufmann* and *Blanqui*, as at § 13. *Freytag*, *Bilder*, I, 2 and 3.

Social order came slowly. Some four million Germans had settled in a population of from five to ten times their number.<sup>1</sup> Save in France, the peoples differed in religion.<sup>2</sup> Each, proud for its own reasons, despised the other. In the Romans of Gaul and Africa, fierce hate was added. They had much cause.<sup>3</sup> At first and for a considerable time, they alone were taxed; the Germans alone bore arms. Courts, in German hands, favored Germans. The *Wehrgeld*<sup>4</sup> of a Frank was twice that of a Roman. A Roman, for illegally seizing and binding a Frank, had to pay twice the penalty required of the Frank for the same offence to him. The Ostrogoths and Burgundians did not so distinguish. Rich Romans, also such as entered the *Heerbann*, speedily bettered their condition. Poor Germans, on the other hand, by the same process as poor Romans earlier,<sup>5</sup> soon became virtual serfs. Besides ignorance, the system of fines and of military service specially contributed to

such poverty.<sup>6</sup> In what proportion Roman elements prevailed in the new social fabric is still a question. In general, Roman influences dominated language, agriculture, the mechanic arts, business arrangements, contracts, and the like, also all municipal affairs, and all intellectual and ecclesiastical life; while military and civil, including judicial, administration became Germanic. By this latter means, in great part, the Germanic idea of personal liberty has pervaded Europe and America, modifying every modern law and constitution.<sup>7</sup>

<sup>1</sup> This is Kaufmann's estimate. It embraces Franks, Vandals, Burgundians and both families of the Goths.

<sup>2</sup> The statement reckons Burgundians as Franks. These alone of the Germanic kingdoms had become catholic. The others, so far as converted, were Arians. See § 17.

<sup>3</sup> On the German treatment of the Romans, by whom, of course, all the old subjects of the empire are meant, evidence seems conflicting, perhaps because we cannot exactly date our data. Roth thinks that even in France it was good from the first. Fustel de Coulanges makes note of a jury, as it virtually was, which in these troubled times consisted of 4 Goths, 3 Franks, and 11 Romans, sitting side by side and pronouncing sentence according to the personal law of the defendant. He believes that the extra Wehrgeld law was local or quite temporary in its action. It is certain that Theodoric's government used partiality not against Romans but rather for them, and that race hostility even in France was mostly gone by end of 6th century. The example of the Burgundians, who admitted the old population to equal rights with themselves, influenced the Franks. Gregory of Tours represents, about 590, Romans in the highest social class, even in the king's service, and honored with a Wehrgeld of 300 solidi. 'Lombard' came to mean any, Romans included, who fought and held land.

<sup>4</sup> 'Ward-off-money.' — See § 9, n. 2. Of a murdered Frank, if a landholder, it was 200 solidi, if landless, 100; of a Roman, if a land-possessor, 100, if not, 45. The solidus is thought to have been worth at this time about \$4.50.

<sup>5</sup> See § 6, n. 2.

<sup>6</sup> On fines, see n. 4, and Kaufmann, II, 209. They were affixed to all sorts of misdemeanors, always terribly high. The Salic law fines the theft of a knife 15 solidi, that of the iron parts of a mill, 45. But these enormous mulcts are partly explained by the exceeding scarcity of iron. Military service impoverished in that the Heerbann was called out incessantly, often in seed-time, often in mid-harvest, leaving crops to rot.

<sup>7</sup> German shaped Romance speech but little, and mostly in Italy. Cf. It. *gonfalone* [flag], and *gonfaloniere* fr. German *Gundfano*; *marchese* [Fr. and Eng. *marquis*] fr. *Marca*; *scabino* [a justice: Fr. *échevin*] fr. *Schoeffe*; *mondualdo* [guardian] fr. *Mundwald*; the words 'France,' 'French,' 'Lombardy,' 'Lombards,' 'Allemagne' and 'allemand.' But the Italians say '*Germania*,' though '*Tedesco*' is It. for '*Teutsch*.' Spanish *dalera* fr. *Thaler*. *Guadagnare*, to gain, is fr. old high Germ. *weidanjan*. The most interesting example is *bourgeois* [burgess, borough, etc.] fr. *Bürger*. The Germans had no word for *civis* because no cities. To translate it they coined *Bürger* from *Burg*, a stronghold. *Borgo*, name for the locality of the Vatican at Rome, may have first been '*Burg*,' called so by German pilgrims. It. '*bando*' = our '*ban*,' may be fr. Ger. *Bann*.

## § 15 CONSTITUTIONAL RESULTS

von Schulte, *Reichs- u. Rechts-geschichte*, 89 sqq. Sohm, *Reichs- u. Gerichtsv-fassung*. Fustel de Coulanges, *Hist. des Inst. politiques de l'ancienne France*.

Two changes consequent upon the mixture were specially momentous: 1 The king assumed a new character, becoming hereditary and practically absolute. In the confusion incident to settlement he was left to decide many questions normally under the jurisdiction of the assembly. This became precedent. Further, to the Romans he took the emperor's place, which both greatly elevated German ideas of kingship and gave the king immense influence in ecclesiastical affairs.<sup>1</sup> 2 To the old nobility of blood succeeded a new, based on relation to the king. Its ranks varied a little with nations. In France, each province had its '*Graf*,' comes or count, and

its 'hundreds' with their 'centenaries,' the Graf being both judge and administrator. Over Grafs stood '*Herzoge*,' *duces* or dukes, each representing the king for several provinces.<sup>2</sup> The two higher of these functions, passing exactly as in the later empire, through the stages of service, ordinary office and hereditary office, became the mere marks of nobility. Other changes were: (1) increasing insignificance and desuetude of the popular assembly,<sup>3</sup> (2) degradation of the comitatus from companions to dependents,<sup>4</sup> (3) assumption of territorial relations by the government,<sup>5</sup> (4) alleviation of slavery.<sup>6</sup>

<sup>1</sup> Thus the king called councils and exercised general oversight over the church.

<sup>2</sup> The titles 'duke' and 'count' have been in constant use ever since old-Roman days. In Constantine's time 'count,' *comes* or companion was a mere name of respect, bestowed on many *duces* or military commanders and on almost all other officers, whether civil or military. It denoted no special rank, yet must have become in some sense higher than *dux*, since it grew to be the official term for addressing the *duces* who bore it. A military *comes*, i.e., was higher than a mere *dux*. The stormy experiences of early Frankish settlement naturally gave to the military function, and hence to the military name, the greater exaltation. Besides, there is some evidence that these offices had old Frankish originals, and were not mere continuations of the Roman. Especially would the word 'Graf' indicate this, being new and non-Latin. 'Province' [= '*Gau*'] is here used not in the crisp sense of Constantine's day, yet the old-Roman governmental organization evidently helped furnish the pattern for this. Centenaries were the Graf's executive officers. The Herzog's position did not prevent his having a Graf's *jurisdictio* over the immediate locality of his residence. Also the Graf had a certain degree of military authority, and the *Markgraf*, *comes limitis* or count of the border, possessed it as fully as a Herzog. In Thuringia and other distant parts dukes were practically independent till Karl Great humbled them.

<sup>3</sup> Never entirely disused. So the *champs de Mars*, and later, through change of calendar, the *champs de Mai*, under the Merovingian house. But these were never truly popular, like those of barbaric days, nor ever

decisive like those, being at most only concurrent in authority with the will of the king. Noteworthy is the assembly at Soissons in 752, which elects Pippin III king [§ 18], swearing under pain of excommunication never to elect a king not sprung from his loins. We see by this that the idea of election in connection with kingship had not perished. From about 575 the un-Germanic custom of crowning kings and queens was observed.

<sup>4</sup> Naturally when the chief settled down to agriculture his followers became his tenants, some for better, others for worse.

<sup>5</sup> None of the barbarian kings had been strictly kings of *lands* but of peoples. Theodoric, e.g., was not king of Italy but of the East Goths. — Freeman, *Hist'l Geog.*, 96. The peace was the 'king's peace.' Law was not the 'law of the land' but the law of the tribe.

<sup>6</sup> Slave importation ceasing, slaves became more valuable and were treated better.

## § 16 THE CULMINATION

*Gustaf, Civilization in Europe*, ii, iii, v, vi.

The Roman empire at its best presents a spectacle of an absolute state, of order without freedom.<sup>1</sup> By 500, its order has succumbed to disorder, which is already dire and threatens fearful increase. New kingdoms are as yet infirm. Orthodox, Arian and heathen, often really varying in little save name, are perpetually in fierce mutual strife. German individualism, as of old, defies rule of law, encouraged now in this perversity by two doctrines intrinsically good, learned from the church, (1) that of the right, still recognized at least in theory, of the people to take part in electing bishops, (2) that of conscience<sup>2</sup> as an authority superior to all human. Thus has begun that mighty anarchic movement destined to culminate at length in feudalism, the negation of both order and freedom. But, efficient relic of Roman civilization, a powerful tendency toward centralization is already at work in both church and state, certain to pro-

duce immense results in time. A synthesis is beginning between the two conflicting tendencies, which, though it will first, to good purpose, renew absolute monarchy both ecclesiastical and political, will finally evoke the constitutional state, assuring order and freedom together. The healthy crystallization begins with the rise of the Frankish kingdom.

<sup>1</sup> Observe that it is no contradiction when private Roman law is praised and public stigmatized as despotic.

<sup>2</sup> 'Conscience and honor are conceptions which ancient society knew nothing about.'—Taine. They were built up by Christianity.

### § 17 THE BEGINNINGS OF FRANCE

*Gibbon*, xxxviii. *Milman*, as at § 12. *Duruy*, 41 sqq. *Freeman* [Hist. Ess., 1 ser.], 'The Franks and the Gauls.' *Arnold*, *Fränkische Zeit*, ii. *de Coulanges*, as at § 15.

Among the new kingdoms that of the Franks, many-wise least promising at first, was alone destined to permanence. Its superior strength lay in the facts (1) that it was not a transplanted kingdom, (2) that it was catholic.<sup>1</sup> The omnipotent clergy prepared and aided all its conquests. Merovingian history had four periods:<sup>2</sup> 1 Conquest, by Chlodovech and his sons, to the first reunion, under Lothar I. At Chlodovech's death his kingdom embraced all Gaul save Burgundy, Septimania and Armorica, besides a district beyond the Rhine. In accordance with German custom it was divided among his four sons, who further extended it over the Thuringians, the Burgundians, the Bavarians and Provence,<sup>3</sup> so that Lothar I ruled a realm twice as large as his father's. 2 Turmoil and inner feuds, to the second reunion, under Lothar II. Note in this period the strifes and worthlessness of the kings, the incipient sundering of new

nationalities, the onsets of Avars and Lombards, the power and insubordination of the great nobles. 3 Relative order, the Merovingian house at its apogee, under Lothar II and Dagobert. Their sway reaches from the Elbe and Inn to the Bay of Biscay, the forms of law are better observed, civil wars cease, vassals obey. 4 The Merovingian power declines, the causes being those mentioned in 2, which begin again to show their effects even before Dagobert's death.

<sup>1</sup> Gregory of Tours, *Hist. Francorum*, II, 30, thus naively tells the story of Chlodovech's conversion: 'The queen [Clotilda] did not cease preaching to the king to recognize the true God and neglect idols, but no resource could move him to these until once he was making war upon the Alamans and was forced to confess, as the two armies struggled, that the foe were cutting down his men at a terrific rate and that their utter destruction was imminent. Seeing this he lifted his eyes to heaven, and, pricked in heart and moved to tears, said: O Jesus Christ, whom Clotilda preaches as the Son of the living God, who dost declare that thou givest aid to them that labor and victory to them that hope in thee, I devotedly beseech the glory of thy assistance, that if thou shalt indulge me with victory over these enemies and I shall find in thee that virtue which the people of thy name profess that they have proved, I may believe in thee and be baptized in thy name. For I have invoked my gods only to find that they are far off from helping me; wherefore I believe them powerless, not succoring those who obey them. Thee now I invoke and in thee I desire to believe; only save me from my adversaries.' He goes on to relate the speedy victory and the baptism. At this St. Remigius officiated, using to Chlodovech the words: *Mitis depone colla Sigamber, adora quod incendisti, incende quod adorasti*.

<sup>2</sup> 511, Chlodovech dies. 558-561, reunion under Lothar I. 613-628, reunion under Lothar II. 638, Dagobert dies.

<sup>3</sup> For the geography see Freeman, *Hist'l Geog.*, 121 sqq.

## § 18 RISE OF THE CAROLINGIAN HOUSE

*Milman*, IV, ix-xi. *Stillé*, iii. *Duruy*, I, v. *Arnold*, as at § 17. *Guizot*, *Civilization in France*, xix. *Bonnell*, *Anfänge d. kar. Hauses*. *Oelsner*, *Jahrb. d. fränk. Reichs unter König Pippin*.

There was no *de facto* Merovingian king after Dagobert, but the real kings were the *maiores domus*. The origin of their office is obscure. The maior domus first appears in course of the sixth century, as a mere officer of the royal household, with no rule and no authority in the government save through influence over the king. Subsequently the office has marvellous development.<sup>1</sup> 1 Incumbents of it are guardians of royal minors, and as these are numerous and many of them imbecile when of age, the guardianship merges into a premiership of the kingdom. 2 After 613 the maiores domus of Burgundy and Austrasia succeed there the former kings, ruling for Dagobert over even the dukes in those realms, their earlier function being entirely superseded. 3 Pippin II attaches the office in Austrasia permanently to his own family. 4 Martell makes himself maior domus of the whole kingdom. Merovingians are by this time pure *fainéants*.<sup>2</sup> 5 Pippin III becomes veritable king. The office, once grown important, naturally fell to the nobles, and became matter of contention among them, in which contention the preëminent ability of the Carolingians brought them the victory. Martell's success may also, to an extent, be viewed as a triumph of Austrasian<sup>3</sup> over Neustrian society. Pippin's revolutionary step, for which his powerful personality and will prepared him, was rendered safe and even imperative by the concurrence of people and pope. This popular

judgment, the decisive consideration, was due to the unparalleled services of Pippin, his brother, and his father, in bringing unity, tranquillity, and enlargement to the realm. They had repelled the Mohammedans, exalted Frankish over ducal authority in all directions, and well begun the conquest of the Saxons. If they had robbed the church of temporal goods,<sup>4</sup> they had furthered its unity and its discipline, and forced it to conform more to its profession.

<sup>1</sup> 622-c.'38, Pippin I, of Landen. 640-'56, his son, Grimwald. 687-714, his nephew, Pippin II, of Heristal, grandson of I. 720-'41, his son, Karl Martell. 732, Battle of Poitiers [Tours]. 751 ('52) Martell's son, Pippin III [le Bref], *king*.

<sup>2</sup> Childeric III speaks of Karlmann [Carloman], Martell's son, Pippin III's brother, as 'the maior domus who has set us on the throne.' The maior domus is hailed as the one 'to whom the Lord God has entrusted the care of the kingdom.' Pippin III speaks of 'our kingdom' ere yet king.

<sup>3</sup> Austrasia meant the east or northeast part of the Frankish land, Neustria the west and southwest, but the line between them was mobile. The origin of the name 'Neustria' is unknown. On boundaries etc. of Burgundy, Bryce, Appendix A.

<sup>4</sup> Pious as Martell seemed to Gregory III [§ 19], the clergy of his own land consigned him to hell for sacrilege. — Milman, vol. ii, 391.

## § 19 BREACH OF WEST WITH EAST

*Gibbon*, chaps. xiv, xlix, lx. *Milman*, III, vii, IV, vi-ix. *Lea* [in *Studies*], 'Rise of the Temporal Power.' *Fisher* [in *Discussions*] 'Temporal Kingdom of the Popes.' *Tosti*, *storia dell' origine dello scisma greco*, a v.

Contrary to his purpose, Constantine's erection of a New Rome had proved a powerful cause of cleavage in the empire. Theoretically harmonious, the two emperors were actually jealous. Pope warred with patriarch on each of the numerous theological questions that arose: Nestorianism,<sup>1</sup> Monothelitism, clerical celibacy, papal supremacy, images, the *filioque*,<sup>2</sup> eucharist-bread, time of

easter. Notwithstanding her loyalty to the Byzantine court it was more or less by its connivance that Alaric and Theodoric invaded Italy. Both the difficulty and the brevity of Justinian's conquest there taught Rome at once the necessity and the possibility of self-dependence. By 568, fifteen years after the fall of the Ostrogoths, North Italy was at the feet of the Lombards. The Centre and the South remained professedly subject to Constantinople, but the dukes of Spoleto and Benevento and the exarch of Ravenna were practically independent. At 600 the pope too, *de iure* under the exarch, was *de facto* full temporal lord over Rome and over a considerable territory outside. Gregory the Great (590-604) at the head of his own army leads in the defence of Rome against the Lombards and is styled *dux plebis*, and when, later, a regular duke for Rome is appointed he figures as but the pope's subaltern. Already since Constantine a landholder, the pontiff was now a sovereign. Under Gregory II, 715-731, the church's territory constitutes a formal '*respublica*' with its own '*exercitus romanus*,' connection with the emperor being purely nominal.<sup>3</sup> Although out of policy the government of Rome was till 800 administered in the emperor's name, the definitive rupture<sup>4</sup> was occasioned by the iconoclastic controversy. Gregory defends images, Emperor Leo the Isaurian threatens, Gregory defies him and ejects the duke his representative, reconciliation becomes impossible.

<sup>1</sup> In 483, before this strife ended, Felix of Rome and Acacius of Constantinople stood mutually excommunicate. Pope Anastasius II, for daring to doubt Acacius's damnation, missed place in the canon of saints. Dante, *Inf.*, canto xi, sees Anastasius in hell, as the one 'whom out of the right way Photinus drew.' I.e., he communed with Photinus, who was still

in communion with Constantinople. Anastasius died suddenly: Baronius doubts not it was by the hand of God. On all these controversies see Ch. III, §§ 19, 20. In the warm rencounter between Gregory the Great and John the Faster it is the Constantinopolitan who offends by calling himself 'universal bishop.' Gregory will not allow this and assails his foe with those levelling passages of Scripture, like Matthew xxiii, 8 sqq., which protestants have used to such purpose against papacy. He twits John with fasting for effect. — *Greg. Mag. Ep.* V, xx. In the Monothelite quarrel Pope Honorius I [d. 638] declared for the single-will doctrine, which the VI<sup>th</sup> General Council, Constantinople, 681,'2, pronounced heresy, cursing Honorius by name. Yet that very Council received from H's successor, Pope Agatho, a solemn breve declaring all occupants of St. Peter's Chair infallible. A. died before hearing of H.'s anathema, but Leo II, the next pope, agreed to the Council's decrees and expressly repeated the '*aeterna condemnatio*' of heretic Honorius. The regular papal oath in the *Liber diurnus*, Migne, CV, p. 52, names H. among the anathematized heretics. Hefele, though a catholic, faithfully sets forth these facts, *Conciliengesch.*, III. He also in his 1st ed. drew the conclusion, which the Vatican decree of papal infallibility has apparently led him to omit in the second. See the question handled by v. Schulte, the ablest catholic lawyer in Europe, *Macht d. röm. Päpste*, 25 sqq.

<sup>2</sup> The Council of Toledo, 589, announced a doctrine of the Holy Spirit as *ex patre ET FILIO procedens*, contrary to that of the Nicene Creed, which derives the Spirit from the Father alone. Various synods in the West discussed the innovation, until that of Aix-la-Chapelle, 809, boldly inserted '*filiusque*' in the Latin translation of that creed. The eastern church has protested from then till now.

<sup>3</sup> Such was the rise of the pope's temporality. Under Gregory II the domain was not more than 80 miles by 40 in extent. It was swollen by donations from the Lombard kings and later by Frankish conquests from the Lombards, made over to the pope. On the spurious edict of donation [by Constantine], Milman, vol. i, 94, n., Gibbon, vol. v, 34, Legge, Temp'l Power of the Popes, Cutts, Constantine.

<sup>4</sup> But not ecclesiastically till the 11th century, when East opposed, West insisted upon, unleavened bread for the eucharist. Legates vainly sent to Constantinople to demand obedience retired, leaving on the great altar of St. Sophia in the pope's name the ban: 'Accursed be Michael, mis-called patriarch, Leo, bishop of Acrida, and all their followers, with those of Simon, Vales, Donatus, Arius, Nicolaus, Severus, and with all the enemies of God and the Holy Ghost, the Manichæans, the Nazarenes and all heretics, yea, with the devil and his angels. Amen. Amen. Amen.'

## § 20 PAPAL ALLIANCE WITH THE FRANKS

Same auth. as last §. Also: *Milman*, as at § 18. *Creighton*, *Popes during Reformation*, I, Int. *Kaufmann*, bd. ii, b. iii.

But Rome is not safe. The emperors, angry, will not forget; the warlike Lombards, barbarous, and of the detested Arian faith, are at the door. The long valid artifice of alternate leagues with the Lombards and the dukes of Lower Italy fails when the powerful King Luitprand, vowing to reduce all Italy, attacks the Eternal City. The Franks are now Rome's sole hope. Gregory III through a solemn embassy lays the golden keys of St. Peter's tomb at the feet of Karl Martell, imploring Frankish support in his purposed formal declaration of independence from the eastern throne. Martell aids only by diplomacy, Pippin,<sup>1</sup> later, by arms. Rome is permanently delivered from the Lombards, who still remain near enough to shield it from the emperor, and has learned the taste of freedom from all temporal lordship. The domains of the pope are assured and vastly enlarged, embracing now nearly the whole exarchate of Ravenna. In these negotiations both Franks and Lombards treat with the pope as with an independent sovereign. This alliance between the Carolingians and the popes was of weightiest consequence for the subsequent history. Zachary<sup>2</sup> had sanctioned Pippin's *coup d'état*, Pippin had freed Rome. Each side soon began to prize what it had given above what it had received.<sup>3</sup> On occasion, however, Rome learned to exalt also what she had received.

<sup>1</sup> What moves Pippin is the following letter from Pope Stephen, in the name of St. Peter: 'I, Peter, the Apostle of God, who have accepted

you as my sons, warn you to save the city of Rome from the Lombards. Do not endure that it should longer be tormented by its foes, else will your bodies and your souls too sometime be tormented in hell fire. Do not permit my people to be scattered abroad, else will the Lord scatter you abroad as he did once the people Israel. Beyond all the other peoples of the earth the Franks have shown themselves submissive to me the Apostle Peter, and on that account I have always heard their prayers when they have cried to me in need; and I will continue to give you the victory over your enemies if ye now come quickly to the aid of my city Rome. But if ye disobey my injunction, know ye that in the name of the Holy Trinity I then exclude you from the Kingdom of God and from eternal life, in virtue of the power given me by the Lord Christ.' — *Codex Carolinus*, ep. iii, p. 92.

<sup>2</sup> Zachary, 741-'52, was the last pope who sought confirmation from the eastern emperor. Pope Stephen after him, 752-'7, besought help from the East, probably assured that it would not be rendered, so fortifying his excuse for calling the Franks.

<sup>3</sup> Frederic Barbarossa to Adrian IV: 'What were your predecessors before Constantine and his grant, Karl Great and Otho!' Adrian to Frederic: 'And what a poor corner of earth was your Germany till exalted by Zachary!'

## SELECT BIBLIOGRAPHY TO CHAPTER V

Hallam, *Middle Ages*,\*\* 3 v. Gibbon, Milman, Duruy, Waitz, Guizot, Lea, Stillé, Schulte, Bryce, Sheppard, Leo, and Lewis continued [see bibliog. to IV. Bryce is best single vol. in Eng., Schulte in Germ.]. v. Giesebrecht, *Gesch. d. deutschen Kaiserzeit*,\*\* 5 v. v. Raumer, *Gesch. d. Hohenstaufen u. ihrer Zeit*,\*\* 6 v. Guizot, *Popular H. of France*,\* 8 v.; Masson's Guizot's do., 1 v. Freeman, *Hist'l Essays*, 1 ser. Remington, *Epochs of the Papacy*. Creighton, *Papacy dg. Reformation*, Int. Villemain, *L. of Greg. VII*,\*\* 2 v. Gfrörer, *Pabst Gregorius VII u. sein Zeitalter*,\* 7 v. [from catholic pt. of view. Very full]. Smith [P.], *H. of the Christ. Ch. dg. Mid. Ages*,\* 2 v. Maitland, *Dark Ages*\* [many orig. doc.]. Michelet, *Moyen Age*\* [in France]. v. Ranke, *Welt-gesch.*,\*\* *Theile*, V-VII; *H. of the Popes*,\*\* 3 v. Trench, *Mediaev. Ch. H.* Prutz [in Oncken], *Staatengesch. d. Abendlandes im Mittelalter*, I. Nitzsch, *Gesch. d. deutschen Volkes*, I-III. [Each of last 2 works exactly covers ground of this Ch.] Gregorovius, *Rom im Mittelalter*, 8 v. Wattenbach, *Deutsche Geschichtsquellen im Mittelalter*,\*\* 2 v. Dümmler, *Gesch. d. ostfränk. Reichs*, 2 v. Alzog [catholic] *Ch. H.*,\* 3 v. Döllinger, *Kaiserthum Karls d. Grossen u. sr. Nachfolger*. Sismondi, *Hist. des républiques italiennes*,\*\* 10 v. [also 16]. Lehuérou, *Institutions Carolingiennes*.\*\* [For a list of best histories of Germany in English, *Literary World*, Nov. 17, 1883.]

## CHAPTER V

### THE MEDÆVAL ROMAN EMPIRE OF THE WEST

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#### § I THE ECCLESIASTICAL UNITY OF EUROPE

*Bright*, Early Eng. Ch. H. *Milman*, IV, iv, v. *Lingard*, Anglo-Saxon Ch., ch. i. *Guisot*, xii-xv. *Neander*, vol. iii, 75 sqq., 121 sqq. *Arnold*, *Fränkische Zeit*, iii. *Maclear*, *Merivale*, and *Milman*, in 'Conversion of the West.'

To explain the resuscitation of Western Rome, besides the rise of a French monarchy and its alliance with the popes, notice the progress of ecclesiastical organization in Europe. For two centuries after Chlodovech the Gallic church lacked discipline and missionary spirit. It adhered loosely to the pope, did not push Christianity with Frankish conquest into Germany. Change came from over Channel. The old-British church, apparently trampled out in the Saxon invasions, had in Ireland and Scotland from 400 to 600 immense development in numbers, learning, purity of faith and life.<sup>1</sup> Iona was almost a British Rome. Thence through zealous missionaries all Scotland and North England, including many of the invaders, received the gospel. Earnest preachers crossed to France. The seventh century saw many Culdee<sup>2</sup> monasteries built here and in Italy, seats of the best letters and religious life these lands had yet known. South Germany too was evangelized, Frankish missionaries now assisting, and promising Christian beginnings made among the Thuringians

and Saxons. Meantime the new-British church,<sup>8</sup> child of Gregory the Great and the papacy, was rivalling the old in both growth and missionary enterprise. It too sent missionaries to the continent, among them Boniface, the learned, enthusiastic, indefatigable servant of Rome, to Germany apostle, to France reformer. Utilizing earlier labors and aided by Pippin and Karlmann, this religious hero succeeded, despite clerical apathy and strong opposition from the old-British school,<sup>4</sup> in refining Christian faith and manners and establishing firm papal sway to the extreme Frankish border.

<sup>1</sup> The noble lives and labors of Sts. Patrick and Columba are set forth in Neander, Milman, Bright, and in all the Ch. Histories. Columba, who founded Iona, must be distinguished from Columbanus, the leader of the Irish mission to the continent, who built the monasteries of Luxeuil and Fontenay in France and Bobbio in Italy. He was accompanied by St. Gall, from whom, as founder of its monastery, the present St. Gall in Switzerland is named.

<sup>2</sup> 'Culdee' is the Celtic 'Keli-dé' = 'men of God.'

<sup>3</sup> On Gregory the Great, Queen Bertha, and the advent and triumph of papal Christianity in Britain, Milman, vol. ii, 175 sqq., and Green, H. of Eng. People, I, 37 sqq. There were for years Canterbury monks and Iona monks. In the Iona church polity the monastery was the central thing. Rome and Canterbury had a better organization and their victory is not to be regretted; yet Columban and Boniface adopted and enforced on their continental converts much that was characteristic of the Iona system, as heavy penalties for negligence of confession and mass. The same influence may be traced in the long continuance throughout the Frankish realm, of community life on the part of the clergy. At Karl Great's death the parish system was even in France still far from complete, the clergy living together either according to canonical rule or as members of convents.

<sup>4</sup> Ebrard, in his *Irischschottische Missionskirche* and his *Bonifatius*, propounds the view that the Culdees had a full systematic church organization, wholly contrary to the Roman, — gainsaid by Fischer in his *Bonifatius*. The Culdees admitted Rome's supremacy in rank but not in authority. See further, Hahn, *Bonifaz u. Lul*, and Funk, in the *Hist Jahrbücher* [Munich], IV, i, 1883.

## § 2 CAROLUS IMPERATOR

*Guisot*, xx. *Bryce*, iii-v. *Gibbon*, xlix. *Milman*, IV, xii. *Nitisch*, bd. i, 193-225. *Giesebrecht*, bks. ii, iii. *Watts*, vol. iii, 79 sqq. *Cutts*, Charlemagne. *Sinkard*, L. of do. [Harper's Half Ho. Ser.] *Freitag*, *Bilder*, I, 6.

In such a condition of the West Karl the Great came to the Frankish throne in 768. Society was so brittle that, much as his father and grandfather had achieved, it still tasked Karl's genius to keep his kingdom one. But he did this and more. He (1) incorporated with it the half independent Aquitania and Bavaria, (2) forced the warlike Avars to peace and tribute, (3) reduced Italy, winning and taking the title King of the Lombards,<sup>1</sup> (4) possessed himself of Spain to the Ebro, (5) completed the conquest of the Saxons. The fame of these partly diplomatic partly martial deeds filled the earth. Remote princes looked to Chlodovech's successor as general arbiter of European affairs.<sup>2</sup> To Karl's court at Aachen came envoys from the eastern emperor, the caliph of Bagdad,<sup>3</sup> the patriarch of Jerusalem, from Mauritania, Moorish and Christian Spain, the Avars and the Slavs. He had but to appear at Rome, signifying his wish therefor, and his imperial election and coronation ensued as of course. On Christmas day, 800, in the great Basilica of St. Peter,<sup>4</sup> rising from prayer at the high altar, while shouts of '*Carolo vita et victoria*' ascended from the great congregation, Karl received at the hands of Leo III an imperial crown. This act, in strictness as revolutionary,<sup>5</sup> though justifiable, as it was momentous,<sup>6</sup> contemplated the empire as one, Karl the successor of Constantine VI, Constantine I and Augustus. Such was the theory of the renewed empire through all the succeeding centuries.<sup>7</sup>

<sup>1</sup> Pippin had only been their overlord. Schnorr has taken Karl's victory over Desiderius, at Pavia, as subject for one of his great cartoons in the Johanneum at Dresden. The others relating to Karl are: Stephen blessing him at the age of 12, his Saxon victory at Fritzlar, the conversion of the Saxons, the Frankfort Synod, and the Roman coronation.

<sup>2</sup> Ethelred of England resided long at Karl's court.

<sup>3</sup> The famous Haroun Alraschid. Abdurrahman was now Ommiad caliph of Cordova in Spain.

<sup>4</sup> Predecessor of the present St. Peter's, on the same spot. It had been built by Constantine.

<sup>5</sup> Neither the Roman election, so-called, nor the papal coronation was a source of legitimacy. Irene, just then upon the eastern throne, was a usurper, female succession being unknown to imperial law.—Gibbon, IV, 586. Karl fully understood the irregularity of his proceeding, which probably explains the unwillingness to be crowned ascribed to him by Einhard. He recognized Nicephorus and even sought marriage with Irene.—Waitz, vol. iii, 171. See note 7, below.

<sup>6</sup> Yet Einhard in his [official] *Vita*, makes next to nothing of this crowning. Evidently Aix-la-chapelle and Karl himself deemed German kingship practically of more consequence than the Roman *imperium*.

<sup>7</sup> Waitz, vol. iii, 199 sqq., questions this, and certainly ideas respecting the relation of the new empire to the old were then most unclear; but the very meaning of the election and coronation, in view of the theory of the old empire, implied the engrafting of Karl upon the acknowledged imperial stock. Soon, however, there came to be two empires, an eastern and a western, in a sense different from that applicable under Arcadius and Honorius. Karl began by claiming Sicily and Lower Italy for the West, but in return for recognition by the East relinquished these, with Dalmatia and Venice. An analogue to Karl's imperial succession is found in that of the Seleucidae to Alexander. A seal ascribed to 800 reads: *renovatio imperii romani*. Dante, *De Monarchia*, bk. ii, assumes without argument that the empire of his time [1263–1321] is the strict continuation of the old Roman. Cf. Sheppard, 496 sqq.

### § 3 HIS GOVERNMENT

See lit. to § 2, esp. Gibbon, and Waitz, vol. iii, 333 sqq. Guizot, xxi. Arnold, *Fränkische Zeit*, iv. Nitzsch, as at § 2. Vintry, *Impôts romains du vi au x siècle*.

Karl was far greater as conqueror and diplomatist than as lawgiver, in personal force and tact than in

large and statesmanlike plans.<sup>1</sup> Note his project to leave his realm divided, his recognition of the eastern emperor, his ambiguous and perilous relation to the papacy.<sup>2</sup> While restoring the empire he made no effort to reproduce its unity, law or system of administration. Italy and Saxony remained separate kingdoms.<sup>3</sup> The genius as well as the form of the government continued Germanic: the people the army, no salaried governmental functionaries, national assemblies, not without influence on legislation.<sup>4</sup> Yet rule was chiefly personal, the emperor practically absolute. Legislation and the administration of justice were little systematic, capitularies regarded momentary needs, flagrant wrongs, especially bribery and favoritism, went unpunished. Karl's great merit lay in imparting strength and centralization to public authority. Herzogs were humbled, their office made mobile. The eastern, northern and Spanish frontiers were guarded by a line of Marks, each under its Markgraf or margrave, more independent and powerful than the simple Graf. The Graf's judicial function passed to a new official, the *judex*, whose district or '*fiscus*' might cover several Graf-districts. A most important new officer was the *missus dominicus*, the emperor's special representative. Two at least of these he yearly appointed to act for him in each grand division of the empire with full authority. They held courts and assemblies, superintended cloister-schools and compelled all high servants of both church and state to their duties. They were especially charged to secure justice to the poor. Through these courts and the emperor's own, judicial procedure was simplified, greatly to the advancement of equity.<sup>5</sup>

<sup>1</sup> Waitz, as above, has an interesting and learned note giving the views of all the greatest writers upon this famous man, as to his worthiness of place beside Caesar, Alfred and others. Gibbon's, vol. v, 44 sqq., is the correct view. Even in war the Saxons were nearly Karl's match, opposing him successfully for 33 years. Roncesvalles was a confessed defeat, and, much to our surprise, Karl did not face the Mohammedans again.

<sup>2</sup> Karl's idea, the regular one among the Germans, was to divide his realm at his death among his three sons, and he would have done so, had not the two elder, Karl and Pippin, died before him, leaving Louis the Pious to inherit alone. Recognition of the East [§ 2, n. 7] was now logically an admission that Karl's imperialism was abnormal. On his relation to the pope, see next §.

<sup>3</sup> The Italian army mustered by itself. Saxony was less dependent than Italy, but paid no tribute to the empire.

<sup>4</sup> Yet comprising only the great. The narrowing process had begun which resulted in the electoral college, § 8. Cf. Ch. IV, § 15, n. 3.

<sup>5</sup> The chief improvements were that i) the courts held by the *missi* used the simple and direct methods of securing justice prevalent in the king's personal court, of which in fact they were an extension, while ii) in the local courts themselves certain select-men, called *scabini*, were appointed judges, whose official duty it was always to be present at the stated assizes. They supplanted for judicial purposes the popular local assemblies, which, though still appointed to meet three times a year, were in something the same disuse as the national.

#### § 4 HIS RELATIONS WITH THE CHURCH

*Bryce*, ch. v. *Milman*, V, i. *Guisot*, xxvii. *Nitsch*, as at § 2. *Lehndron*, chaps. ix, x.

Karl was pope as well as emperor.<sup>1</sup> His policy was to reform the church and to unify it around Rome as centre, yet keeping it, including the pope as its supreme official, subject to himself. Full of theocratic ideas and lacking clear conception of the state as possessing legitimate function independently of the church, he still assigned to the state the higher place. The state he considered bound to further the ends of the church — thus

each of Karl's campaigns was a crusade—yet church property and office were to be administered as belonging to the state. Karl considered his care as well the doctrine and life of the clergy as external ecclesiastical affairs. He exhorts the pope to a godly walk, opposes him in doctrinal matters, provides for no appeal to him even by ecclesiastics, takes the responsibility against him of placing '*filioque*'<sup>2</sup> in the creed. He forces both incumbent and intending clergy to diligent study, provides for preaching in the vernacular,<sup>3</sup> insists that even the laity know the *paternoster*<sup>4</sup> and the creed and understand the main Christian doctrines.<sup>5</sup> He improved the discipline and efficiency of monasteries and had some success in subordinating them to the bishops. In a word, Karl faithfully set forward the unfinished task of Boniface. This even more than he wished or was aware. The church seemed docile, yet its conviction of its relation to the state, so different from Karl's, was already a part of its life, and the new forces wherewith his efforts had quickened it, it was destined to employ to the full in realizing that conception at the expense of his.<sup>6</sup>

<sup>1</sup> He was in his time more or less seriously called '*episcopus episcoporum*,' the title which Tertullian was the first to apply to the bishop of Rome. Einhard adverts to Karl's assiduous perusal of Augustine's City of God.

<sup>2</sup> See Ch. IV, § 19, n. 2, Bryce, 64; Milman, vol. ii, 500; Richey, Nicene Creed and the *Filioque*.

<sup>3</sup> Karl's time was a great epoch in the history of preaching. Every bishop was to have a number of sermons translated from the distinguished fathers into the language of the people, to be preached as postils by the ignorant priests.

<sup>4</sup> Under penalty of whipping. But as enforcement had to be left to church authorities, this part of the law amounted to little. Bishops could

for certain offences inflict stripes on their clergy. Karl also enacted a law against work on Sunday.

<sup>6</sup> The emperor must have had in all this a genuinely Christian aim. He ordered his missi to ask bishops and abbots exactly what they meant by renouncing the world, and by what signs they told him who renounced from him who did not. 'Is it that he does not bear arms and is not publicly married? Does he renounce the world who toils each day, no matter by what means, to increase his possessions, now promising the beatitudes of heaven, now threatening the pains of hell?' Cf. the oath [Bryce, 65] which Karl made all his subjects swear to him after his crowning as emperor. In painful contrast with this healthy spirit is Einhard's recital of the *theft* by his servants, of the bones and dust of two saints, Marcellinus and Peter Martyr, in Rome. The servants, themselves in holy orders, after fasting and prayer for divine aid, burglariously enter the sacred tomb, break open the great stone coffin, snatch the strange plunder and away across the Alps. It was in 827. Einhard, directed by a vision, bestowed the reliques at Mühlheim, whose name thence became changed into *Seligenstadt*.

<sup>6</sup> Cf. §§ 12 sqq.; Milman, vol. ii, 484 sqq., 507 sqq. Thus we see the pseudo-Isidorian decretals taking form soon after Karl's decease.—Milman, vol. iii, 58 sqq. Ranke, *Weltgesch.* VII, ch. v, is on these decretals. They contain pieces as old as the 1st century, and increase gradually in number, till by the middle of the 9th nearly the whole body is present, though there are additions after this. The leading ideas are purity of life in clergy, supremacy of church over state. Their genuineness was suspected only from the 14th century and disproved early in the 16th by their numberless anachronisms.

## § 5 HIS AID TO CULTURE AND LETTERS

*Guizot*, xii, xiii. *Mullinger*, Schools of Charles Great. *Einhard*, as at § 2. *Monnier*, *Alcuin*. *Lorens*, *Leben Alcuins*. *Milman*, vol. ii, 508 sq. *Hallam*, Lit. of Europe, I, i. *Wattenbach*, *Geschichtsquellen*, I, 105 sqq.

Himself scarcely able to write, the emperor was cause of a most powerful impulse to the intellectual life of his time. The studies which Italy and England had in the seventh and eighth centuries preserved from an earlier age and themselves sedulously pursued, which Colum-

ban and Boniface had introduced in France and Germany, he helped to a vigorous life and influence, regarding effort of this kind his duty to both people and church. The spirit of York and Monte Casino filled the Frankish cloisters. Savans from every land were called to court, as Einhard, Paulus Diaconus, Alcuin of York, Peter of Pisa. The court school,<sup>1</sup> directed by Alcuin and attended by Karl with his children, became a centre of letters for the realm, its pupils, made abbots and bishops, founding copies of it everywhere. Text-books were composed, classics and fathers translated, annotated, learned by heart. For the times, culture was not narrow. Einhard was historian, literator, architect. History, poetry,<sup>2</sup> astronomy and theology were ardently cultivated. On multitudes of questions, especially in theology and ethics, earnest discussions were had, formal treatises composed. Many studied critically, thought deeply. Scotus Erigena and Gottschalk<sup>3</sup> were born of Karl's age. In this intellectual movement the great monarch participated personally. The healthy reaction in favor of classical study, though originally due to English influence, he earnestly patronized. In two points his interposition was positive and direct, viz., in aid (1) toward rendering German a literary speech,<sup>4</sup> (2) toward deepening and intensifying in the Germans the conceptions of the Christian religion.

<sup>1</sup> This is a great epoch in the history of education also. Karl's daughters as well as his sons attended the *schola palatina*, all pursuing the same studies.

<sup>2</sup> Much of the poetry is rhyme, putting it almost beyond doubt that rhyme was not of Moorish or Arabian origin. Hallam [Lit. of Eur., vol. i, 32] thinks Muratori, Gray and Turner have proved that rhymed Latin verse was in use from the end of the 4th century.

<sup>3</sup> John Scotus Erigena lived in the 9th century, and was the chief intellectual light of the middle age. He knew Greek, placed reason above authority, and taught a philosophy verging toward pantheism. Though a Briton he passed most of his active life at the court of Charles the Bald, dying about 880. Gottschalk was also a 9th century light, dying in 868. His fame rests upon his advocacy, costing him his life, of the predestination-doctrine taught by St. Augustine [Ch. III, § 19]. In one point he went beyond Augustine, viz., in teaching predestination to damnation as well as to salvation. On both these men, Guizot, xxviii, xxix.

<sup>4</sup> He made the first attempt at a German grammar, gave German names to the winds and months and collected those old German hero-songs, 'which, having passed through the Latin verse of the monks, came forth at length as the Nibelungen and the Heldenbuch.' For Karl's influence in germanizing religious thought, see last §. For the myths concerning him, Bulfinch, Legends of Charlemagne. Reckoning from the Christian era now begins, also the opening of the year at Christmas instead of March 1, which had been the custom of the Franks. January 1 did not begin the year till the 16th century.

## § 6 THE EMPIRE AFTER KARL

Guizot, xxiv. Bryce, *passim* Giesebrecht, bks. iii-v. Schulte, *Anhang* IV. Nitzsch, bd. i, 226 to end.

The empire thus renewed became an integral part of the world's order, lasting nominally at least, till 1806, and through its fortunes lending main content and interest to European history for many centuries, till it was obscured by the growth of kingdoms within its own bosom and outlying. Notice five periods: i *The Carolingian-Italian*, to Otho the Great, 962.<sup>1</sup> Marked depression supervenes, the empire surrendering its vigor, almost its life. ii *The Saxon-Franconian*, to Henry<sup>2</sup> IV, 1056. Renewal comes. The emperor's supremacy over the pope is asserted, admitted and maintained. The new prosperity continued long: Henry III, 1039-'56, saw the empire at its loftiest eminence. iii *The*

*Hohenstaufen*, to the Interregnum of 1254-'73. The supremacy spoken of is asserted but not admitted or maintained.<sup>3</sup> Here fall the crusades, also the terrible struggles of Henry IV, Frederic I and II with the papacy, which now, under Hildebrand and Innocent III, puts in practice those absolutist principles which have been developing since Augustine and Leo the Great. iv *The Earlier-Hapsburg*, to the Reformation, 1520. The emperor is fully subject to the pope, yet still possessing considerable though declining power. To this decline the Renaissance greatly contributed. v *The Later-Hapsburg*,<sup>4</sup> to Francis II's abdication, 1806. The empire is much of this time little more than a name.

<sup>1</sup> This is the date of his coronation as emperor. He became king in 936. v. Sybel connects this terrible anarchy with the then universal belief that the end of the world would come about the year 1000. On this period, see § 7.

<sup>2</sup> We end the period here, with Henry III, as a natural turning-point; but of course Henry IV and Henry V also belonged to the great Franconian or Salian house, Conrad III, 1138-1152, being the first Hohenstaufen or Swabian emperor. Frederic I, the Barbarossa, was Conrad's nephew.

<sup>3</sup> It came nearest to being maintained under Frederic I, 1152-'90, but even he had to recede. See § 18.

<sup>4</sup> After the Great Interregnum, all the emperors were of the Hapsburg house except Henry VII [Bavaria] and Francis I [Lorraine], husband of Maria Theresa. Joseph II and Leopold II, their sons, and Francis II, their grandson, are to be sure usually reckoned to the house of Lorraine, but were, through Maria Theresa, of Hapsburg blood.

## § 7 OTHO THE GREAT

*Bryce*, vi, ix. *Milman*, V, esp. xi. *Secretan*, *Feodalité*, 90 sq. *Prutz*, I, II.  
*Ranke*, *Weltgesch.*, VI, ch. xv. *Lehndron*, ch. xi.

Powerfully as Karl the Great's reign has affected all political evolution since,<sup>1</sup> the age immediately following his was one of deplorable reaction, of anarchy worse than that to which he had succeeded in setting term, a profound night, wherein, though present, the principles of order for a moment realized by him eluded men's grasp and gaze. None of his successors were his peers, the earliest the least so. Henry the Fowler, 919-'36, was the first to remind of him. Europe now in the utmost political distraction : West Francia permanently separate from East,<sup>2</sup> neither one a unity even by itself, onsets by Saracens, Avars and Normans so incessant and terrific that the empire hardly survives. Several German kings forego the imperial dignity, still a larger number disgrace it. Henry the Fowler having brought a good degree of order to the German kingdom, his greater son, Otho, 936-'73, not only completes this work but crosses the Alps to claim and receive the Cæsars' crown, 962. In effect Otho created the empire anew as truly as Karl, though his act was far less decisive theoretically. Constitutionally considered his empire only continued Karl's, whose programme Otho exactly pursued in all its main features: conquest, enforcement of order, mastery and direction of the church. The papacy, grown weak and base,<sup>3</sup> he dominated and purified.

<sup>1</sup> The ideal which Karl had realized for an instant never completely passed from view. The formal unity of the political world was not kept

up, that of the ecclesiastical lost much of its perfection. Yet but for the immortal Carolingian, without that half-century of glory and relative order which he gave to the West, and of which the living memory was always retained, who can say whether Europe and the whole world with it would not have been re-entombed in that savage state, defying history and the negation of civilization, which for six or seven centuries after the lapse of old Rome continually seemed about to begin? — Secretan.

<sup>2</sup> West Francia was France, East Francia Germany. They had been tending apart ever since the treaty of Verdun, 843. Only for the years 884-'7 Charles the Fat, son of Louis the German, grandson of Louis the Pious and great-grandson of Karl Great, united all the old Frankish empire under his rule. The Diet of Tribur, 887, deposed him as *fainéant*. The midland between the central part of the Lotharingia laid out at Verdun, nearly coinciding with the Elsass-Lothringen of to-day, has been an object of contention between France and Germany ever since. Elsass-Lothringen forms now a single '*Reichsland*,' not *Reichslande* [still less *Reichsländer*, as Bryce writes — bad German as well as mistaken political geography].

<sup>3</sup> I.e., during the times of Popes Sergius and John X, when the prostitutes Theodora and her two daughters, Theodora and Marozia, disposed of the papal cap [not tiara till 1048] as they listed. — Milman, vol iii, 158 sqq.

## § 8 THE EMPIRE AND THE GERMAN KINGDOM

*Bryce*, viii, xii; *ibid.* 452 sqq. *Schulte*, 201 sqq. *Watts*, III, 221 sqq.

Through precedent coupled with the prestige and power of German kings, not otherwise, the Roman empire from the imperial coronation of Otho the Great, 962, became attached to, almost identified with, the German kingdom. The kings as such came to be styled kings of the Romans, the empire a German empire,<sup>1</sup> the latter the more naturally as the empire remained longest efficient in Germany. That the emperor should be a German king was from this date thought constitutionally necessary,<sup>2</sup> though several earlier emperors had lacked this character. The relation between empire and king-

dom was never exactly determined, for many centuries scarcely considered. Imperial sovereignty and the king's feudal sovereignty, so different in nature, hence reacted upon and greatly modified each other, producing among others these weighty consequences: 1 The Roman law became law for the German land. 2 The empire remained elective. The rise of the electoral college is obscure. The earliest German kings were, we have seen, chosen in popular assembly. By degrees the number fell off, only the foremost imperial vassals at length remaining. The Golden Bull<sup>3</sup> of Emperor Charles IV, 1356, limited membership in the college to the Archbishops of Mayence, Trèves and Cologne,<sup>4</sup> with the Duke of Saxony, Margrave of Brandenburg, King of Bohemia and Count Palatine of the Rhine.<sup>5</sup> 3 The German king, often absent, always distracted with imperial cares, gradually became unable to assert himself as king. His subalterns, as princes, dukes, electors, some of them at length as kings, waxed independent, while his royal office waned to a shadow. The same suffered also from the humiliation of the Imperial power by the popes.

<sup>1</sup> But this was never its proper title. Strictly it was the Roman or Holy Roman Empire. Although Francis II, in abdicating its throne, called the old empire the German Empire, strictly there was never a 'German Empire' or a 'German Emperor' till 1871. Now both exist. Coins of Frederic I [e.g.] bear the legend, *FREDERIC DEI GRA ROMANOR. IMPERTOR AUGS.*

<sup>2</sup> *Apostolica sedes illum in imperatorem debeat coronare qui rite fuerit coronatus in regem*, wrote Innocent III. But one could be chosen king, and so emperor, who was not a German, as Richard, Earl of Cornwall, and Alphonso of Castile [§ 20, n. 3].

<sup>3</sup> An edict, called 'bull' from the *bulia* or seal upon it, composed in this case of gold.

\* In German, Mainz, Trier and Köln. These prelates were imperial chancellors for Germany, Burgundy and Italy respectively. The bull made the first the convener of the college and Frankfort instead of Aix-la-Chapelle [Aachen] the place of meeting, which it remained henceforth. Duruy, 507 sqq., has a fine brief account of this bull.

† Saxony also held the honorary office of Marshal, Brandenburg that of Chamberlain, Bohemia that of Cup-bearer, the Palatinate that of Seneschal. The college in its oldest form had the mere right of praetaxation or official nomination. On this, Bryce, 229 sqq.; Harnack, *d. Kurfürsten-koll. bis zur Mitte d. xiv Jahrh.*, and Quidde, *Entstehung d. Kurfürsten-kollegiums*. By this bull the duke and the count were to be regents in case of interregnum. The Palatinate lost its electorship by its revolt from the emperor in the Thirty Years' War [Ch. IX], the honor passing to Bavaria. The peace of Westphalia renewed it for the Palatinate, thus increasing the number of electors to eight. In 1692 the Duke of Hannover was made a ninth elector. The number fell to eight again in 1777, when, by the extinction of the Bavarian line, the Palatine countship and the dukeship of Bavaria became again united in one man as they had been under Ludwig I and Otho II, the Illustrious, of the great Wittelsbach house. Otho I, von Wittelsbach, was invested with the duchy of Bavaria in 1183 by Frederic Barbarossa, when it escheated to the empire through the treason of Henry the Lion. Ludwig I, son, succeeded Otho I in Bavaria in 1231, having already possessed the Palatinate since 1214, when he received it from Emperor Frederic II. Otho the Illustrious, dying in 1253, left the Palatinate, with the electorship, to his elder son, Ludwig the Severe, [Lower] Bavaria to his younger, Henry. From this time till the Diet of Regensburg, 1623, no electorate attaches to Bavaria. — Weber, *Weltgesch.*, I, 833.

## § 9 THE EXTENT OF THE EMPIRE

Bryce, ch. xii, and Appendix C. *Schulte, Anhang I.*

The jurisdiction of the empire had, at any given time, different degrees, and each of these varied with periods. The great emperors like their Roman predecessors, emphasizing theory but falsifying fact, called themselves lords of the world.<sup>1</sup> Parts of Frisia [Holland] and Switzerland, nominally in the empire, were always as good

as independent. Otho the Great lost Neustria, gained by conquests to the north and east. The emperor was efficient sovereign only in Germany, which, however, included Elsass-Lothringen and part of Flanders. Burgundy, though an imperial land,<sup>2</sup> was much more independent. After Frederic Barbarossa, owing to the growth of vassals' power, some portion of Germany itself was nearly always in revolt. Lower Italy held to the East till the Norman Conquest,<sup>3</sup> 1016-'57. After this though claimed by the empire it never properly forms part thereof. The kingdom of Lombardy, over which he was in theory king as well as emperor, obeyed the emperor only as compelled, which, through the strength of its cities and the support of the popes, it could rarely be.<sup>4</sup> Besides the lands mentioned, there were: 1 Vassal principalities outside the German kingdom, as Denmark, Hungary and Poland, acknowledging the emperor's sovereignty over them and, save when judging it safe to refuse, furnishing troops and tribute. 2 Principalities strictly sovereign and independent, as Spain and England, recognizing the emperor's superiority, yet only in comity. That such were regarded as in some sense members of the empire is shown by the occasional election of emperors from them.<sup>5</sup> 3 Principalities such as Iceland, Lithuania, Venice and the eastern empire which declined even this. France may be said to have passed on the death of Otho I,<sup>6</sup> from the first of these classes to the second, as did, later, the states into which Germany itself broke up.<sup>7</sup>

<sup>1</sup> Karl Great spoke of himself as 'ruling the kingdoms of the earth,' Frederic I of himself as 'lord of the world.' The Emperor Sigismund on his death-bed gave command that his body should lie some days in state

'to assure all men that the lord of the whole world was dead.' The electors told Frederic III: 'We have chosen your grace as head protector and governor of all Christendom.'

<sup>2</sup> Bryce, 455. Notice that the kingship of Italy or Lombardy was as different as possible from the imperatorship, and that 'King of the Romans,' first applied by Henry III to his son, Henry IV, meant simply 'King Elect,' being a title analogous to 'Prince of Wales,' or 'Prince of Asturias,' except dependence on election. A 'king of the Romans' on his predecessor's decease immediately succeeded to the German throne without new election or coronation. To avoid the journey to Rome to receive the imperial crown Maximilian I, 1493-1519, obtained the pope's permission to use still another title, that of 'Emperor Elect,' so as to begin functioning as emperor at once upon succeeding to kingship. Ferdinand I, 1556-'64, and his successors assumed this style as of right, no emperor after Frederic III, 1440-'93, ever being crowned at Rome, though Charles V, 1519-'56, was crowned emperor at Bologna.

<sup>3</sup> For the conquest of southern Italy by the Normans and the manner of its subjection to the pope, Duruy, 262 sqq.; Raumer, *Hohenstaufen*, I, *Beilage* i; Weber, *Weltgesch.*, I, 609 sqq.; Palomes, *Storia de li Normanni in Sicilia* [Palermo, 1883]; Delarc, *Les Normands en Italie* 1883]. On its relation to the empire, §§ 19, 20.

<sup>4</sup> See §§ 17-20.

<sup>5</sup> See last §, n. 2; Bryce, 143.

<sup>6</sup> This Otho, the Great, was the last emperor to whom France ever acknowledged allegiance.

<sup>7</sup> The parallel between these and France is not perfect, in that they, although at length in effect sovereign, always acknowledged a species of subordination to the empire, which France did not.

## § 10 THE DUKES

*Schulte*, 185 sqq, 144-287. *Secretan*, *Féodalité*, 144 sqq.

The rise of subordinate states, threatening and finally annulling the consequence of the empire, due partly to dukes' exercise of patronage, partly to their wealth, partly to royal favor, begins with the re-exaltation of the ducal office,<sup>1</sup> soon after Karl the Great's death. In Germany the new duchies assume a quasi-national char-

acter, including and dominating each its group of counties. Properly and usually, *jurisdictio*<sup>2</sup> did not belong to dukes as dukes but to the counts, who, in their character as judges, held directly from the king. Yet a duke would often have 'rights of count' over several of his counties. Till Frederic I, Barbarossa, 1152-'90, there are nine regular duchies, of which Saxony, Bavaria, Swabia, Franconia and Lotharingia, the most important, betray in many respects the marks of separate states. Dukes (1) succeed to the functions of *missi dominici* yet without being at any time mere officers, (2) become hereditary, (3) appear as incipient kings, ruling 'by God's grace,'<sup>3</sup> commanding the *Heerbann*, collecting royal revenues, holding highest courts, also diets which all the inferior dignitaries attend. Margraves, counts palatine and simple counts also became hereditary, and after the second reduction of the ducal power under the Hohenstaufen, more and more independent.<sup>4</sup> The other *Fürsten*: the landgraves, *Freiherren*, archbishops, bishops and prince-abbots, followed the same upward course. All came in time to possess county, ducal and regalian<sup>5</sup> rights and the right of having lords as their vassals. Old exemptions<sup>6</sup> relating to their territories were removed, new ones forbidden, supreme jurisdiction allowed them, dwellers upon their territory as such, made their subjects.

<sup>1</sup> Durny, 214 sq., also § 3, above, and Sickel, *Wesen d. Volksherrnuthums*, in v. Sybel's *Zeitschrift*, 1884, Heft 6.

<sup>2</sup> Here used in the technical sense of the Roman law, meaning the right to deliver formal judicial sentences.

<sup>3</sup> This was then, as it is now, the usual phrase to denote sovereignty. When the *Fürsten* [n. 3] were confessed to be rulers 'by God's grace,' the empire had become a mere presidency over sovereign states, which in all

its later years it was. Some assumed this style before others, those, i.e., farthest from the royal seat and power.

<sup>4</sup> A Fürst was any vassal holding his estates, with right of Heerbann and of count, immediately from the emperor. In Latin he was named *princeps*, in French, *prince*, yet neither word has the definiteness of 'Fürst,' since both, like our word '*prince*,' answer to the German '*Prinz*,' as well as to Fürst. So '*Fürst Bismarck*,' but 'the *Kronprinz*.' Weakening of the dukes gave the inferior Fürsten all the freer scope to rise, and some of these became quite as hostile to the central power as the great dukes had been. On the humiliation of the dukes, see § 18.

<sup>5</sup> I.e., royal rights, chief among which were coining money and levying tolls.

<sup>6</sup> Estates within duchies, margraviats, or count-districts, which had been given in fief to favorites of the emperor and made independent of the surrounding jurisdiction. Some of these were secular, others ecclesiastical. Sometimes a princeling of this sort would be subject to duke but independent of count. The Franconian emperors made such exemptions, especially the ecclesiastical, systematically, to weaken their great feudatories. — Duruy, 272.

## § 11 THE COUNTS

Same auth. as at last §.

'Count' or 'Graf' was originally a generic name for royal office. Karl the Great had counts palatine, counts of marches, travelling counts.<sup>1</sup> By a more special, also early, application already noticed,<sup>2</sup> the word signified the head of a district or canton,<sup>3</sup> an officer charged primarily with jurisdiction but also with military command. In the long evolution of the office, especially in the dissipation through exemptions ecclesiastical and other, of the cantonal system of administration, varieties of counts became still more numerous. The change exalted some of them but depressed the most. The palatinate was in nearly all cases lost in other dignities, although the Count Palatine of the Rhine became the first lay dignitary in the empire and an imperial vicar.<sup>4</sup>

Margraves maintained their early rank, about ducal, those of Austria and Brandenburg even surpassed the ducal rank. Landgraves were counts in the interior of the empire, with the same rank as margraves but less power. A few other counts extended their jurisdiction over several counties. Among counts of the lower order, such as the vassals of dukes, of ecclesiastical Fürsten or of the higher counts, were burggraves,<sup>5</sup> ruling towns and fortified *châteaux*, with jurisdiction direct from the emperor but subject in military things to duke, margrave or other immediate lord. The ecclesiastical Fürsten referred to were archbishops, bishops and high abbots.

<sup>1</sup> Pfalzgrafen, Markgrafen, Sendgrafen.

<sup>2</sup> In German, 'Gau.'

<sup>3</sup> At Ch. IV, § 15, n. 2.

<sup>4</sup> See § 8, n. 4.

<sup>5</sup> The Hohenzollern were once mere burggraves of Nuremberg. Cf. § 17, n. 4. Secretan connects 'Graf' with 'greifen.'

## § 12 EMPIRE AND CHURCH

*Byce*, ch. x. *Milman*, bk. vii. *Gregorovius*, vol. vi, 20 sqq. *Prutz*, III.

The centuries next succeeding Karl the Great developed two radically antagonistic theories concerning the nature of the empire. The state-church theory though already centuries old we find most formally set forth in Dante's *De Monarchia*. Dante seeks to prove that (1) rule over the world belongs of right to the Roman people and through them to the emperor,<sup>1</sup> (2) such an empire is indispensable to the weal of human society, (3) the emperor's authority is directly from God, not from or through the pope. According to this conception, borrowed from the idea of the church, as this had been from the original notion of Rome's rulership and

office on earth, the empire was the one indispensable, responsible mediator of humanity's corporate interests, itself a revelation of the Divine Spirit, the church being simply the empire's organ for the empire's own moral and spiritual work.<sup>2</sup> It was conceived as incapable of cessation, as unbroken from Augustus and as thus anterior and superior to Christianity, which it had taken up into itself. Many great minds, especially after, in the twelfth century, the study of Roman law was renewed, passionately espoused this view, nowise staggering at the palpable failure of both emperors and empire to conform to the ideal. The papal or church-state theory, originating in Augustine's City of God,<sup>3</sup> mightily furthered by the false-Isidorian decretals and slowly working its way first to the consciousness of the church, then into the formulae of canon law, was in principle exactly the reverse of the above. It made the church supreme, God's sole institute and agent for working human welfare, the state only its functionary. It nowise set the state aside: so long as docile, exalted it rather. Yet in practice the empire could not but be degraded by its prevalence. Civil power was denounced as worldly, originating in sin, no more comparable with spiritual than body with soul.

<sup>1</sup> He explicitly makes the whole earth the emperor's realm and every mortal his subject, denominating Henry VII *rex mundi* as well as *minister dei*. This strange treatise adduces arguments promiscuously from Homer, Aristotle, Juvenal, Ovid, Lucan, and the Psalms. The author evidently regards it a telling point when he notices that scripture denominates as 'the fulness of times' the epoch of our Lord's advent, i.e., the period immediately succeeding the accession of Augustus and the establishment of the empire. Book II begins: 'Why do the heathen rage?' [Ps. II] as applicable to the Guelphs. Book III contains a refutation of the sun-

moon analogy [n. 3, below] in the observation that the moon is visible even in an eclipse of the sun. Observe that the state-church arrangement involves much more than the mere support of a given form of religion by the state, as in England to-day.

<sup>2</sup> It was thus a 'holy empire,' an edict of Henry VII commanding as a 'divine precept' that 'every soul be subject to the Roman sovereign,' on whose sway 'the order of the whole world reposes.'

<sup>3</sup> Ch. III, § 15, n. 5. This theory is best set forth by Thomas Aquinas. On the decretals, § 4, n. 6. Innocent III wrote: 'The Creator has fixed in the firmament of the Church universal two dignities. The greater, the papacy, governs souls as the sun by day. The less, the empire, governs bodies as the moon by night.' He locates both *in the Church*. The great question was, as Duruy puts it, 'who, the heir of St. Peter or the heir of Augustus and Charlemagne, shall remain master of the world?'

### § 13 GREGORY HILDEBRAND

*Milman*, bk. vii. *Giesebrecht*, bks. vi, vii. *Prutz*, III. *Smith*, Church dg. Mid. Ages, vol. ii. *Bowden*, Life of Gregory VII. *Ranke*, *Weltgesch.*, VII. *Lea*, Sacerdotal Celibacy. *Geffcken*, Church and State, i. *Ibach*, *Kampf zwischen Papstthum u. Königthum*, etc. [1884]. *Villemain* and *Gfrörer* as in bibliog.

Decisive clash between these two theories, both so exalting unity, the principle for which the middle age had a passion, was inevitable. The papal was first conceived in its full reach and majesty by Hildebrand,<sup>1</sup> whom events conspired with his own matchless will, skill and daring, to aid in realizing it. History shows no more astounding transition than the upward leap of papal power at the death of Henry III, a movement of which Hildebrand was soul. In his favor were (1) his long relation to the papacy, covering several pontificates before his own,<sup>2</sup> (2) the new purity, dignity and power brought to the papacy by German popes under Henry III,<sup>3</sup> (3) Henry IV's youth and vices, (4) the insubordination of Henry's Saxon subjects,<sup>4</sup> (5) Italian hatred of the empire, longing and brave effort for freedom,

(6) papal alliance with the Norman and Tuscan principalities.<sup>5</sup> Tuscany especially, was an indispensable aid. Hildebrand's central purpose, as shown by the order of events in the struggle,<sup>6</sup> was not to exalt the papacy but to reform the clergy. Worldliness, concubinage, simony, was universal. Henry's mistresses wore jewels from the church's caskets. Each valuable church dignity was sold to the highest bidder. Benedict IX<sup>7</sup> bartered the papal office itself. Leo IX found that thorough reform at once would leave Rome without a priest. As indispensable to the needed radical change, Hildebrand resolved to make the entire clergy responsible in all respects to an independent pope, totally abolishing the lay investiture of clerks.<sup>8</sup> In withstanding this, Henry was supported by an anti-reform party among the clergy throughout Europe, also by most of the powerful nobles of Rome and Lombardy. The same great Roman families<sup>9</sup> who had cursed Henry III allied themselves ardently with his son to annihilate Hildebrand.

<sup>1</sup> Hildebrand was a carpenter's son. Gregorovius, judging by the name, thinks him to have been of Lombard [Teutonic] stock. We have the autographs '*Yldibrandus*' and '*Heldebrandus*,' as well as the contemporary spellings '*Ildebrandus*' and '*Oldeprandus*.' H.'s pontificate extended from April 22, 1073 to May 25, 1085.

<sup>2</sup> He was chaplain to Gregory VI, 1045-'6, went to Germany with Clement II, '46-'8, and came back to Rome with Leo IX, '48-'54. Under Stephen IX, '57-'8, he was Archdeacon. He had been Chancellor or Secretary of State to five different popes. Cf. Neander, III, 380 sqq.

<sup>3</sup> Although the reforming popes hitherto had come from Germany, the Abbey of Cluny [Clugni] in France was now the centre of the reform party in the church. Hildebrand had been educated there, and from there came, after him, Popes Urban II, 1087-'99, inspirer of the First Crusade, and Paschal II, 1099-1118.

<sup>4</sup> This is discussed by Bruno, *de bello Saxonico* [n. 6, below].

<sup>5</sup> The popes had held the suzerainty over Norman Italy since Leo IX, 1048-'54, to whom, after having conquered him in arms, they yet surrendered as vassals [§ 9, n. 3]. Beatrice, heiress of Tuscany, herself a devoted papist, married for second husband Godfrey of Lothringen [Lorraine], who was a rebel against imperial authority and hence a natural ally of Gregory. Godfrey's son married Mathilda, Beatrice's daughter, perpetuating the friendliness of Tuscany to the holy see. Mathilda willed thereto her entire lands, amounting to a quarter of Italy. It was partly a fief of the empire, partly allodial [Ch. VI, § 4, n. 5].

<sup>6</sup> He attacks clerical vices first [§ 15]. Had he wished power he would have cemented the clergy to himself before assailing Henry. On this controversy of so thrilling interest the chief original sources are: FOR HENRY, AGAINST GREGORY: *Benno* [cardinal], *Vita Hildebrandi* [bitter and indecent]; *Benzo* [bishop of Alba], *Panegyricus in Imp. Henricum IV*; *Waltram* [bp. of Naumburg], *Liber de unitate ecclesiae conservanda*; *Sigebert of Gembloux*, *Chronicon*, and other writings; *Epistola cujusdam*, by an unknown writer, upon Gregory's too severe procedure against married priests; *Vita Henrici IV* [of unknown authorship]. FOR GREGORY, AGAINST HENRY: *Bruno, de bello Saxonico* [the most passionate of all]; *Bernold, Chronicon*; *Bardo, Vita Anselmi* [Anselm was bishop of Lucca, nephew and successor of Alexander II, and one of Gregory's intimates. Bardo incorporates much from Anselm's own pen]; *Placidus* [prior of Nonantola], *Liber de honore ecclesiae*; *Bonizo* [bp. of Sutri], *Liber ad amicum*. [For a fuller notice, see Wattenbach, II, 167 sqq.; also Giesebrecht, III and IV. Bruno and the *Vita Henrici* exist in Pertz's hand-edition, very cheap and convenient. Nearly all are in his Monumenta. Cf. in *Rev. d. d. Mondes*, Ap. & Mai, 1873.]

<sup>7</sup> On this base pope, 'more childish than Caligula, as wicked as Elagabalus,' Milman, vol. iii, 229 sqq., Gregorovius, IV, 75 sqq.

<sup>8</sup> That is, the investiture of the bishops, archbishops and abbots of the empire, even with the ring and staff, those symbols of spiritual office, was till Hildebrand the act of the emperor, a layman.

<sup>9</sup> These aristocrats with the cities in the north had made the strength of the Guelph party in Italy [§ 17]. Out of hatred to Hildebrand they now turn Ghibelline. A few Roman nobles, however, favor the pope. Had clerical marriage or concubinage been permitted, church offices would have become hereditary in these and such families, and feudalism would have cursed the church as it did civil life. Not likely that Gregory or any of the popes who aided the cities were animated by zeal for freedom or for a united Italy.

## § 14 THE CHURCH AND FEUDALISM

*Hallam*, ch. vii, pt. i. *Schulte*, 125 sqq., 188. *Milman*, vol. ii, 424 sqq. *Nitsch*,  
bd. ii, 16-38.

The eleventh century saw church and clergy like the rest of society, in the toils of the feudal system. One-fifth of France, one-third of Germany was ecclesiastical land, ruled, subject to the monarch alone, by archbishops, bishops and abbots, who had become invested with rights of duke and of count, and exercised these as suzerains over the entire population of their domains. In their secular character these church officials were usually represented by lay advocates, who bore to them the relation sometimes of patrons, more sometimes of regular vassals.<sup>1</sup> The emperor himself was patron of numberless abbeys, as he was suzerain of all archbishops and bishops, whom he invested not only with ring and staff but as his liege men in the ordinary temporal fashion. Controlling their religious influence among the people through their temporal dependence on him, he used the bishops as his chief support against insubordinate dukes. Apart from this, such was then the lack of clear distinction between spiritual and temporal authority and between feudal and proper political sovereignty, that the execution of Gregory's programme must have threatened the very existence of civil society. It would have erected innumerable scattered fragments taken from all the European states into a single ecclesiastical state subject to Rome.<sup>2</sup>

<sup>1</sup> Many were vassals in form, patrons in fact, much the relation now held by Austria to Turkey in respect to Bosnia and Herzegovina. See Happ, *De advocatia ecclesiastica* [Bonn, 1870]. A fief could be

accepted from an ecclesiastic without disgrace by a powerful count or duke who would have disdained the same from his lay neighbor. The four great honorary officers of the emperor: marshal, seneschal, etc., filled corresponding posts in the chapter of the bishop of Bamberg. The prince-Abbey of Fulda had as its vassals the Archduke of Austria, the Dukes of Bavaria and Saxony, the Landgraves of Thuringia and Hesse, with a crowd of counts and several imperial cities, as Frankfort and Mühlhausen. The emperor even, held the seigniorship of Wimpfen as a fief of the diocese of Worms. — Secretan.

<sup>2</sup> Milman, bk. vii, chaps. i, iii.

## § 15 TO CANOSSA

*Milman*, VII, ii. *Prutz*, III. *Hefele*, in *Tübinger Quartalschr.*, 1861. *Lea* [in *Studies*], 'Excommunication.' *Raumer*, bk. ii. *Nitzsch*, bd. ii, 99-112.

Hildebrand, the greatest mind and shrewdest politician of his age, proceeded with combined boldness and skill. Laws already existing against the great clerical vices he enforced with unprecedented rigor, incurring hostility in a way and to a degree speaking for the purity of his aim. His first revolutionary act was the emancipation of papal elections.<sup>1</sup> The emperors, especially Henry III, had insisted on having decisive voice in these. An adroitly worded decree<sup>2</sup> of Nicholas II, 1059, made a college of cardinals plenipotentiary for this business, the emperor to have the right even of confirmation only as a personal concession. Further fine diplomacy coupled with good fortune, procured the election and confirmation, under this new law, of Alexander II as pope. The bitter strife over this election<sup>3</sup> seems to have decided Hildebrand. Himself elected pope and securely confirmed, he issues the renowned decree of 1075, abrogating lay investiture. Even after this for a time, king is submissive, pope gracious. Soon

the mood of both changes, and Hildebrand summons Henry, guilty among much else of sheltering deposed bishops, to Rome to answer for his sins. To the king's idle pretence of deposing him <sup>4</sup> Hildebrand replies with a bull excommunicating Henry and placing his kingdom under interdict. The king was doomed. Staunchest friends deserted him with loathing. The Diet of Tribur, October, 1076, legislating for the realm, reduced him to the estate of a private man and resolved to elect a new king if the next February 25th found Henry unabsolved. Crossing the Alps at the risk of his life and hastening to Canossa the lord of the empire prostrates himself an abject penitent before the Vicar of Christ, who at last deigns to grant him absolution.<sup>5</sup>

<sup>1</sup> On the mode, original and modern, of electing pope, Fisher, *Discussions*, 141 sqq. The pope, as bishop of the Roman church, which he still remains, was like all bishops for centuries elected popularly. Karl, Otho and all the really powerful emperors interfered more or less with this free Roman election, confidently naming candidates as they did for ordinary bishoprics. The cardinals, who still remain as by the decree of 1059, the electors, are the presbyters and deacons of the Roman church with the bishops of the suburban churches offshoots of the Roman. All, wherever resident, are thus officials of that church. The full college numbers 70: viz. 6 bishops, 50 priests, 14 deacons. The pope appoints them. So far as he is a temporal sovereign they are temporal princes, yet their office is mainly ecclesiastical, and involves vast fields of church administration aside from electing pope. In this their most solemn function they are to give the preference to candidates from the Roman church itself. Cardinals did not at first wear purple, nor did the custom of shutting them up in conclave to elect the pope arise till Gregory X, 1271-'76.

<sup>2</sup> The cardinal bishops were to have the initiative, but must secure the consent of the cardinal priests and deacons. 'Applause' was expected from the laity as of course, and the election was to 'save the honor and reverence due to Henry, now king, future emperor.' Under this rule Hildebrand's own election was confirmed by Henry IV himself, but it was the last intervention of the kind that ever occurred. See Gregorovius, vol. iv, 112 sqq.

<sup>3</sup> Some German and Lombard prelates who favored clerical marriage [nearly every clergyman in the Milan diocese did] assembled in Basle, annulled Alexander's election after it had occurred, and chose Cadalous, bishop of Parma, as Honorius II, in his stead. How the party of Gregory and Alexander felt toward Honorius is evinced by Peter Demiani, who denounces Honorius as 'waster of the church, root of sin, devil's herald, apostle of Antichrist, an arrow from Satan's bow, the shipwreck of all purity, the man of dung, the dung of the century, fodder for hell, an abominable, wriggling worm.' Benzo in turn wrote of Alexander:

*'Sed Prandelli Asinander, asinus hæreticus,  
'Congregavit Patarinos ex viis et sepibus,  
'Et replevit totam terram urticis et vepribus.'*

'Patarini' meant 'ragamuffins.'

<sup>4</sup> The form was gone through at Henry's instance by a synod at Worms in 1076, Henry feeling strong now through his great victory over the Saxons at Langensalza, June 9, 1075. His letter conveying the decree, after accusing the pope of numberless and nameless crimes, ended: 'We, Henry, by the grace of God king, with all the bishops of our realm, command thee, Down, down.' Gregory's anathema ran as follows: 'St. Peter, Prince of the Apostles, incline Thine ear unto us and hear us, Thy servant, whom from childhood Thou hast nourished and protected even to this day against the ungodly. Thou and my Lady the Mother of God, and Thy Brother, St. Paul, — prove to me that Thy holy Roman Church hath drawn me against my will to its rudder, and that I have not risen up like a robber to Thy seat. Rather would I have been a pilgrim my whole life long than have snatched to myself Thy chair on account of temporal glory and a worldly mind. And therefore do I believe it to proceed from Thy grace and not from my action, when it pleased and pleaseth Thee that the Christian people specially entrusted to Thee should hearken to me in virtue of the mediatorship entrusted to me; and through Thy intercession hath power been sent me from God to bind and to loose on earth and in heaven. Trusting in this, I, in the name of Almighty God, the Father, the Son and the Holy Ghost, interdict to King Henry, son of Emperor Henry, the government of the entire German and Italian realm. Because with unheard-of pride he hath lifted himself up against Thy Church, I absolve all Christians from the bond of their oath to him, and forbid them to serve him any longer as king. For it is fitting that he who will touch the dignity of Thy Church should lose his own. And since he hath disdained to obey like a Christian and hath not returned to God Whom he deserted, but on the contrary hath been communing with the excommuni-

cate, and by his striving to rend the Church hath separated himself from her, so I bind him in Thy stead with the bond of the anathema, that all people may know and feel that Thou art Peter, and that upon this Rock the Son of the Living God hath built his Church, against which the gates of hell cannot prevail.'

<sup>5</sup> Hefele strips off the exaggerations with which this memorable transaction is commonly recounted. Henry did not wait at the castle door 'three days and nights,' nor even three days, but a few hours each day. Not in the snow but under cover. Not '*en chemise*' [Michelet] or 'clad only in the thin, white linen dress of the penitent' [Milman], but in a penitent's shirt over other clothing. Nor did the pope postpone audience in order to show his power and humble the king, but because he had solemnly referred Henry's case to Augsburg, whither himself was now journeying to meet Henry and the German princes together, and feared to adjudicate it in Italy. He at last so far relented as to absolve the king but did not restore the kingdom. As to penance, many a king and emperor had done it: Otho III, Henry II, even Otho I. Henry III and, later, St. Louis, suffered themselves to be publicly flogged. In view of Waitram's silence touching it, Hefele discredits the famous 'hostia-scene,' in which Gregory is said to have prayed to be, if guilty, stricken dead as he ate the wafer, and to have vainly challenged Henry to the same ordeal.

## § 16 THE CONCORDAT OF WORMS, 1122

*Milman*, VII, iii-v, VIII, i-iii. *Giesebrecht*, bk. viii. *Hefele*, as at § 15. *Raumer*, bk. ii. *Duruy*, ch. xvii. *Prutz*, III, v. *Nitsch*, bd. ii, 113-156.

From the crushing blow received at Canossa the empire never recovered either absolutely or in comparison with the papacy. In the desperate war that ensued, Henry IV<sup>1</sup> and Henry V with their rival popes both scored brilliant victories over the papists with their rival emperors, but these were not permanent. If Hildebrand expired as an exile at Salerno,<sup>2</sup> his successors inherited his spirit and policy. Urban II excommunicated Philip<sup>3</sup> I of France. Henry IV died a beggar, under the ban, which Gregory had renewed in 1080. Calixtus

II sat as a court of last resort for kings.<sup>4</sup> The crusades, now beginning, enormously increased papal power.<sup>5</sup> By the Concordat of Worms, 1122, Henry V, who at his imperial coronation had seemed not less absolute than his grandfather,<sup>6</sup> after passing ten years excommunicate, bowing to Calixtus, gave up investiture by ring and staff, condemned simony and consented to the canonical election and free consecration of bishops. On the other hand the outcome for the papacy fell far short of the majestic world-monarchy which the great Hildebrand had planned.<sup>7</sup> Ecclesiastics were still to acquire their principalities<sup>8</sup> and all temporal rights at the touch of the royal sceptre, and faithfully to fulfil to the emperor every obligation incident to their secular status.

<sup>1</sup> The interdict was never removed and the ban was pronounced afresh in 1080; yet Henry fully reconquered the headship of Germany, vanquishing Rudolf, who had been chosen against him, subdued his Italian kingdom though less thoroughly, created Antipope Clement III, who crowned him emperor, and even became master of Rome. His papal foes ruined him at last by procuring the rebellion of his sons, first Conrad, then Henry [V]. Friendless, even hungry, he was left to beg in vain place in the choir of the church of the Virgin in Spire, founded by himself. He had been dead five years ere his body was allowed rest in consecrated earth.

<sup>2</sup> His last words, 'I have loved righteousness and hated iniquity, therefore I die in exile,' betray at once the man's conscious integrity and his egotism.

<sup>3</sup> For the uncanonical divorce of his own wife and the seduction of another man's.

<sup>4</sup> At Rheims, 1119, where Louis the Fat, of France, complained of Henry I of England for lack of allegiance as Duke of Normandy and for various other faults, not one of them of an ecclesiastical nature.

<sup>5</sup> See last § but one in Ch. VII.

<sup>6</sup> With the enthusiastic and nearly entire allegiance of Germany and Italy he visited Rome and forced Paschal II to crown him emperor. We notice that excommunication shook his authority far less than it had his father's.

<sup>7</sup> See Milman, bk. vii, chaps. i, iii.

<sup>8</sup> Except such as might have been conferred by the papacy itself; for the papacy had large temporalities to bestow in different lands, over and above its spiritual offices.

## § 17 GUELPH AND Ghibelline

*Hallam*, ch. v. *Duruy*, ch. xviii. *Giesebrecht*, vol. iv. *Raumer*, I, ii, 4 and 5. *Nitsch*, bd. ii, 161-286. *May*, Democracy in Europe, ch. vii.

Popes found willing and mighty helpers in the great imperial vassals, bent on independence and enlarged possessions. Under Henry IV and his son, 1056-1125, Swabia was often in revolt, Saxony almost continuously. Lothar III, 1125-'37, by allying himself with Henry the Proud,<sup>1</sup> of the Guelph family of Bavarian dukes, and investing him with Saxony also, enrages Swabia, which, in Conrad III, 1138-'52, of the brilliant Hohenstaufen or Ghibelline<sup>2</sup> line, next fills the imperial throne. Henry, inheriting from Lothar the papal fief of Tuscany<sup>3</sup> and thus lord from the Tiber to the Baltic, rebels against Conrad and is put to the ban, yet only with utmost difficulty stripped of his duchies. His son, Henry the Lion, recovers these indeed, but narrowed and degraded, Saxony by the loss of Brandenburg,<sup>4</sup> Bavaria by that of Austria.<sup>5</sup> Lombard cities always made common cause with German rebels, as popes with both, the entire party of the empire's foes thus formed coming to be called 'Guelphs,' 'Ghibellines' in like manner specifying all the empire's friends, Italian as well as German. The names, used in Germany to this day,<sup>6</sup> had strongest life in Italy, where they became the watchwords respectively of independence from Germany and of subjection thereto.<sup>7</sup>

<sup>1</sup> Henry the Proud had married Lothar's daughter and expected almost of course to be chosen emperor, as would have occurred had not the Fürsten been jealous of his already enormous power.

<sup>2</sup> 'Guelph' and 'Ghibelline' are the italianized forms of 'Welf' and 'Waiblingen.' The latter are usually [the view is now contested] thought to have been first used as party words at the battle of Weinsberg, 1140 [*Hie Welf! Hie Waibling!*], where Count Welf, brother of Henry the Proud [died 1139], commanded against Duke Frederic of Swabia [Hohenstaufen], whose seat was the castle of Waiblingen. The Brunswick or Hanoverian line of English monarchs are descended from Henry Proud, through Henry the Lion, Otho IV, and Otho 'the Infant.'

<sup>3</sup> Including all the estates willed by Mathilda to the holy see, as the duchy of Spoleto and the marches of Ancona, Bologna, Parma, Piacenza, and a few minor tracts. Cf. § 12, n. 5.

<sup>4</sup> The Mark of Brandenburg was carved from the old duchy of Saxony in 1142 and given to Albert the Bear as an immediate fief of the empire. He added to it the land between the Elbe and Oder mouths. His heirs retained the estate till 1320, when it passed to the house of Bavaria. Afterwards Luxemburg held it. In 1417 Emperor Sigismund sold it to the Hohenzollern, fathers of the present reigning house of Prussia, of which kingdom it formed the germ.

<sup>5</sup> Gertrude, widow of Henry Proud, married Henry Jasomirgott [so named from his incessant oath, *Ja, so mir Gott helfe*], margrave of Austria, who thus became seized of Bavaria. Frederic Barbarossa restored this duchy to Henry the Lion, pacifying Jasomirgott by adding Styria to his margraviat and erecting the whole into the independent duchy of Austria, with special privileges. The particular history of Austria as well as of Prussia begins now. Otho I had made it a margraviat [Ostmark] 955, in favor of the Babenberg family, who held it till 1246. It then passed in succession to Frederic II and to the houses of Baden, Bohemia and Hapsburg [1282], the last still holding it, though in the female or Lorraine line since 1740 [§ 6, n. 4].

<sup>6</sup> For the foes and the friends of the present German empire. Thus the royal house of Hannover are Guelphs politically and not by blood alone.

<sup>7</sup> While the Italian republics were under the presidency of Charles d'Anjou, of Naples [see last § of this Ch.] 'Ghibelline' named the foes of this presidency, the friends of liberty. Sismondi, *Rep. It.*, ch. xxii.

## § 18 FREDERIC I

*Milman*, VIII, vii. *Duruy*, 275 sqq. *Giesebrecht*, bk. x. *Prutz*, IV. *Tosti*, *Storia della lega lombarda* [1886]. *Simondi*, I, viii, ix. *Nitzsch*, bd. ii, last ch. *Raumer*, bk. iv.

After the concordat of 1122 the quarrel slumbered. Lothar had by explicit word and by humiliating deed<sup>1</sup> confessed himself pope's vassal. It proved a truce only. The powerful Frederic Barbarossa, 1152-'90, swore to restore the empire to its old eminence over the pope and Italy, his chief spur to such assumption being the new study of Roman law. Imperial rights as expounded from Justinian by the jurisconsults of Bologna, Frederic ascribed without modification to himself.<sup>2</sup> This Italian policy, justifiable only technically, led him to outrageous tyranny and cruelty. What gives peculiar interest to this contest is the brilliant action of those republics which now dotted the Italian peninsula from the Alps to Benevento, restoring to a brief and beautiful life the ruins of the Roman municipal regime.<sup>3</sup> The great modern struggle for liberty now begins, curiously identified in this its earliest stage with that of papal ambition. Adrian IV and Alexander III, with better reason, advanced claims identical with Hildebrand's as well as in the same proud tone. Alexander, suzerain of Sicily, Naples, and Tuscany, recognized by the kings of France and England and supported by the iron battalions of the Lombard League, overbore even the arms and energy of Frederic. Escaping with bare life from the battle-field of Legnano, 1176, the emperor, sacrificing his own pope, submits to Alexander.<sup>4</sup> By the Treaty of Constance,<sup>5</sup> 1183, the pope was again

recognized as the suzerain of Tuscany, and practical independence granted to the republics, the emperor retaining the mere right to confirm their consuls and to maintain in each a court of appeal for certain causes. But what Frederic lost in Italy he gained in his German kingdom, by the new and firm authority which his division and new disposition of the great duchies gave to his government there. Henry the Lion, for desertion before Legnano and subsequent treason, was dispossessed, save of Brunswick and Lüneburg, Bavaria passing to Otho von Wittelsbach,<sup>6</sup> Bernard, son of Albert the Bear, becoming duke of Saxony, which had lost Westphalia to the archbishopric of Cologne.

<sup>1</sup> He had held Pope Innocent II's stirrup for him to mount, understood to be a menial service.

<sup>2</sup> He also caused certain of his own edicts to be incorporated in the *corpus iuris civilis*.

<sup>3</sup> Duruy, 274. Each had its consuls: Milan, 12, Genoa 6, Florence 4, Pisa 6, etc., usually with both executive and judicial powers. Generally also a sort of senate [*credenza*] assisted them. But the popular assembly was sovereign legislature as well as court of last resort. Under Arnold of Brescia, for a brief time from 1144, Rome formed such a republic. Frederic put down this Roman republic, delivering Arnold to Pope Adrian IV to be burned, but was so severe that Adrian soon turned against him.—Milman, VIII, vi. Cf. Ch. IV, § 20, n. 3.

<sup>4</sup> They met in San Marco, Venice. Schnorr has a cartoon of the scene. It may be seen in the Dresden Johanneum, also in the Ducal Palace at Venice. Cf. Childe Harold, hist'l n. 4.

<sup>5</sup> The *magna charta* of the Italian republics. See Duruy, 279.

<sup>6</sup> Cf. § 8, n. 5. This re-arrangement propped the emperor's power only temporarily however. The increased number of the immediate vassals, though they were feebler, placed the central authority in even greater danger than before. Cf. § 20, n. 6.

## § 19 FREDERIC II

*Oliphant*, Frederic II. *Milman*, bks. ix, x. *Duruy*, 28a sqq. *Sismondi*, II, v-xi, *Freeman*, Historical Essays, iii ser. *Nitzsch*, bd. iii, 10-100. *Prutz*, V. *Raumer*, vol. iii. *Hoeffer*, Kaiser Friedrich II [a pamphlet].

The great struggle had still a third period, the most confused and terrific as well as the most decisive of all. Henry VI, by marriage with the Norman Princess Constantia of Naples, virtually incorporated the kingdom of the Two Sicilies<sup>1</sup> with the empire, traversing the policy of the holy see and endangering its independence. The papacy was now at high meridian, Innocent III in both claim and fact king of kings.<sup>2</sup> In order to separate Italy from the empire, under the bold pretence of examining and crowning emperors if worthy or rejecting them if unworthy, he raised to the throne the Guelph, Otho IV, against the Ghibelline Philip. But when Otho defied him, and, ignoring the Treaty of Constance, claimed suzerainty over Tuscany and Naples, Innocent deposed him in favor of Frederic II. It was stipulated that the latter should cede his hereditary kingdom of the Sicilies to his son. Frederic, in the arts of politics brilliant pupil of Innocent himself, found means to evade this, keeping his lands united and encircling Rome with imperial domains. To break this wall, pope must crush emperor. Excuses were ready. Besides mockery of pope's claim to world-suzerainty, Gregory IX charged<sup>3</sup> upon Frederic rebellion and breach of trust as papal fief-holder of the Sicilies, alliance with Saracens, neglect of vow in not earlier embarking as crusader, contempt of ecclesiastical discipline, and infidelity. Frederic's two bloody but triumphant campaigns, (1) to

the Peace of San Germano, 1230, and (2) to Gregory's death, 1241, added splendid fame as a soldier to the renown which this wonder of the world already possessed as poet, philosopher and theologian. In (1) he entirely reduced the great North Italian revolt which Gregory had instigated during Frederic's crusade,<sup>4</sup> in (2) a rebellion of his own son allied with the new Lombard League. Gregory died in despair. The papacy was throttled and for a moment quivered as in death-throes.

<sup>1</sup> I.e., Naples and Sicily. Henry VI was Frederic Barbarossa's son, Frederic II's father. Lower Italy was thus *virtually* brought into the empire, though never constitutionally. Mark the confusion. As resident and bishop of Rome the pope was a subject [if not fief-holder] of the empire. On the other hand, as possessor of Naples and Sicily, inheriting from the Norman kings there, Frederic was of course the pope's vassal, besides being what every Christian monarch professed to be, subject to the pope as Christ's vicar and in that sense world-suzerain.

<sup>2</sup> Schulte, 205; Duruy, 280, 385; Creighton, I, 19 sqq. Innocent III was the pope who, to discipline King John of England, authorized Philip Augustus of France to invade John's kingdom, and who, when John had basely submitted, sought to annul the Great Charter.

<sup>3</sup> Nearly all these indictments were as true as some of them were grave. From the point of view of the then orthodoxy Frederic was certainly an infidel. He was alleged and believed to have expressed the sentiment that the world had been deceived by three impostors, Moses, Christ and Mohammed. Frederic II alone of all the imperial line Dante leaves in hell. — *Inferno*, x, 119. Yet he put forth edict after edict against heretics and asseverated his orthodoxy to the last. It would, indeed, seem that his first excommunication, for not persisting in the crusading-voyage which he had begun, was unjust. He was driven back by a tempest, himself and men ill. The pope's main hostility to Frederic was political, springing from the determination to keep the Sicilies separate from the empire, contrary to Frederic's will. Hence Gregory would not desert the Lombard League.

<sup>4</sup> Frederic did at length go as crusader [Ch. VII, § 15] only to be balked at every turn by the pope's minions. Matthew of Paris says that the Templars of the Holy Land made overtures to the sultan of Egypt to

betray Frederic to him, but that the Mohammedan ruler refused partnership in such treachery. He and Frederic became warm friends, and the cession of Jerusalem was by him. It grieved the knights that the Muslims were allowed to retain a mosque on the site of Solomon's temple, with the privileges of living and visiting in Jerusalem and being tried there by judges of their own. Antioch, with Tripoli and its other dependencies, had not been included in the ten years' truce. Frederic had to crown himself king of Jerusalem [his seventh crown], as no ecclesiastic would perform the ceremony. Returning, Frederic found his son and the powerful Lombard League in revolt, and conquered both in the great victory of Corte Nuova, 1237. Gregory now fought him with redoubled energy. To win sympathy in Europe he called a council at the Lateran in Rome for 1241. A naval victory over the Genoese at Meloria in that year threw nearly all the delegates [proceeding by sea] into the emperor's hands. The aged Gregory died from this reverse.

## § 20 FALL OF THE HOHENSTAUFEN

*Hallam*, ch. iii. *Duruy*, 284 sqq. *Milman*, X, iv, v. *Bryce*, xiii. *Prutz*, V. *Freeman*, *Historical Essays* [i ser.] xi. *Nitsch*, bd. iii, 101-139. *Raumer*, vol. iii.

Suddenly fortune changed. From Gregory's death to his own in 1250, incessant reverse whelmed Frederic. Treason was all about him. Thrice excommunicate, deserted by old friends, Christian kings either against him or too listless to aid,<sup>1</sup> even his genius, quenchless energy and Saracen<sup>2</sup> supports were vain. He indeed fought with vigor to the last, dying unconquered. Still was it already clear, such was now the moral weight of the papal office and the horror of Frederic as an unbeliever, that Innocent IV, the new pope, even in exile as he was, must finally prevail. The result was assured and greatly hastened by the emperor's death. The Guelphs at last rose to the ascendant. From this moment the empire declined in significance.<sup>3</sup> Conrad IV, who held it till his death, 1254, was the last Caesar

of the Swabian line, the race itself presently dying out. Conradin, his son, who had gone to help his uncle, King Manfred, in Naples against Charles d'Anjou, the pope's newly chosen vassal there, perished on the scaffold in 1268. Italy and Burgundy lost, the empire retained after the Interregnum only the vocation, without the ancient power, of a German kingdom. The house of France<sup>4</sup> now succeeds to the preponderance of the emperors, and with it the church, mighty through its revenues, arrogant from the rising study of canon law,<sup>5</sup> will next have to struggle.

<sup>1</sup> The intelligent laity in all Europe sympathized to a great extent with Frederic. So devoted a churchman as St. Louis expostulated with Innocent IV for his high assumption. For a strong resolution of the French barons in the same sense, Martin, *Hist. de France*, IV, 209 sq. Robert d'Artois, St. Louis's brother, refused the imperial crown offered him by Gregory IX, reproaching this pontiff with the wish to trample all monarchs under his feet. Yet Charles d'Anjou accepted the Sicilies.

<sup>2</sup> It was only by the aid of Saracens, who of course cared nothing for the pope's interdict, that Frederic was enabled to hold out so long. His resort to such allies naturally enraged popes all the more, as calculated to open the way for those infidels to a permanent footing in Christendom.

<sup>3</sup> Cf. § 6. The interregnum is sometimes reckoned from Frederic's d., sometimes from Conrad's. Some writers end it in 1257, with the election of Richard of Cornwall, but as neither he nor his rival, Alphonso of Castile, ever reigned, we protract the interregnum to the election of Rudolf, 1273. See Bryce, 212. Not only was the interregnum itself a dreadful time, but so close an approach to out and out independence had been yielded by Frederic II to his great German vassals that it was henceforth impossible for even great men, being emperors, to wield the power of a Barbarossa, a Henry the Black or an Otho.

<sup>4</sup> See later §§ of next Ch. Monarchy was now becoming emphatically dominant in France itself, just as it was losing its hold in the empire. In addition to this the passing of Naples and Sicily under French rule could not but lend distinction to the French name and increase French influence in world-affairs. Jealousy resulted. Peter III of Aragon, who had mar-

ried Constantia, Manfred's daughter, recovers Sicily, occasioning the 'Sicilian Vespers' Mar. 30, 1282. See Duruy, 479; Sismondi, *Rep It.*, ch. xxii; Amari, H. of the W. of the Sic. Vespers, 3 v.; Martin, IV, 319 sqq. The Sicilians had unanimously favored Conradin and for that reason were oppressed by the French. Michael Palaeologus, eastern emperor, aided Peter with money, knowing that Charles had designs on his realm. Even Pope Nicholas III, 1277-'81, had been in the league against Charles. Nearly every Frenchman in Sicily was massacred. From Peter's conquest till 1295 Sicily was connected directly with Aragon, thence till 1410 under domestic monarchs of the Aragon house, then again under Aragon [Ferdinand the Just], whose King Alphonso V conquers Naples in 1442, thus again uniting Naples with Sicily. At his death, 1458, they were parted, his brother John becoming king of Aragon and Sicily, while his natural son, Ferdinand, assumed the crown of Naples, his line going out at the new French conquest by Louis XII of France in 1501. Ferdinand the Catholic's conquest of Naples, 1505, brought Naples afresh under the same rule with Sicily, as they remained till 1707. Soon after this, in the W. of the Spanish Succession, Austria secured possession of both, ceding Sicily to Savoy in 1713. Spain conquered the Island once more in 1718, uniting it with Naples in 1720. In 1735, Don Carlos, younger son of the Bourbon Philip V of Spain, was crowned king of the Two Sicilies, his line reigning, except during the French occupation [1806-15: Joseph Bonaparte King of Naples 2 years, Murat 7] till 1861, when Sicily became part of the present kingdom of Italy.

<sup>6</sup> Canon law began to have its present form, as a special system and study, separate from the civil, in the time of Gregory IX.

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## CHAPTER VI

### FEUDALISM AND THE FRENCH MONARCHY

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#### § 1 FEUDALISM DEFINED

*Hallam*, ch. ii. *Guisot*, *Civ. in France*, 2d course, ii. *Roth*, *F. u. U.*, 27, 31.

TURNING from the mere external political frame of mediæval society more to its inner nature, we encounter at the outset the ubiquitous fact of feudalism. Inextricably connected with this is the French monarchy, whereof it destroyed one dynasty and provided another. Unavoidable allusions to the institution have been made already: we must now subject it to study. The constitutive elements of feudalism were (1) the hierarchical gradation of social-political ranks, (2) bound together not by political loyalty but by the covenanted protection of, and personal fealty<sup>1</sup> from, each lower by and to each higher, (3) based upon land.<sup>2</sup> A secondary element of feudalism resulting from the above is that it forms the negation of the state in the proper political sense.<sup>3</sup> This remarkable social formation, as different from earlier as from later, presents itself, from the tenth century, in France, Germany, Italy, Spain and England: that is, wherever German life and institutions met Roman. The Normans developed it most perfectly at home, reformed and furthered it in England, trans-

planted it to Lower Italy and Palestine. Even Hungary, Poland and Denmark were more or less affected by it.

<sup>1</sup> For convenience 'fealty' is here used as including 'homage.' In full feudal times they were identical, though not at first. Originally fealty was mere recognition of superiority, not necessarily connected with land, while homage was subordination in respect to land. — Secretan, 120 sqq., 309; Hallam, ch. ii, pt. i. Simple homage could be offered to each of several superiors, liege homage to but one. — Secretan, 310.

<sup>2</sup> 'Profound materialism: man fixed to land, rooted to the rock where his tower rises. No land without lord, no lord without land. Man has become a thing of locality, rated as of high or low *place*, localized, immobile, weighted by the mass of his heavy château as of his heavy armor. The land is the man: to it pertains the veritable personality. In the phrase of the middle age, the man *must serve his fief*.' — Michelet.

<sup>3</sup> This phase is well exhibited in both Roth's works. The tie holding vassal and suzerain together was in reality nothing but private contract. — Secretan, 195 sqq.

## § 2 ITS MODIFICATIONS

Hallam, ch. ii, pt. ii. Secretan, *préface*.

In point of historical evolution feudalism presents four periods: i Of formation, to the end of the ninth century. ii Of power, to the end of the thirteenth. We may take as the beginning of this epoch, as a quasi-legal establishment of feudalism, the capitulary<sup>1</sup> of Charles the Bald, 877, placing their offices, as their benefices already were, entirely in the power of his great vassals. iii Of transformation, to the end of the sixteenth century. iv Of decay, to the present time.<sup>2</sup> In respect to geographical distribution feudalism comprises three types: i Normal feudalism or feudalism upon its native soil, that of the great Frankish monarchy. Within this sphere too the system had various

phases, main and subordinate, French feudalism differing from German, Norman from South French, German proper from Lombard-Italian.<sup>8</sup> 2 Transplanted, in Norman England, Norman Italy and Palestine. In each of these lands the historical type suffered important modifications, in England away from, in Palestine toward, abstract perfection of system. 3 Inchoate, as in Spain and in the Scandinavian North, where, in the one case Roman law and custom, in the other, Teutonic, shaped and hindered the development.

<sup>1</sup> 'French royalty's act of abdication in favor of feudalism,' says Secretan, 'the heredity of functions is erected into law: the feudal era begins.' Charles the Bald had just bought peace from the Normans, unable to conquer them, and was intending [in vain: he died the same year] to make a campaign into Italy, summoned by the pope. The concession was given as the price of military aid. Guizot and most writers have mistaken this capitulary as relating to benefices.

<sup>2</sup> Cf. Maine's Essay, in *Early Law and Custom*, on the Decay of Feudal Property in Fr. and Eng. 'That war [between rational and feudal law] will terminate for France only at the grand date of 1789 [the Revolution], by the triumph of equity over privilege. For the countries of Europe which have not gone in our path it is not at an end even now.' — Duruy. So late as 1536 Francis I went through the vain form of summoning Emperor Charles V before the Parliament of Paris to answer for delinquency as Francis's vassal for Artois and Flandre.

<sup>3</sup> For the weightiest of these differences, see §§ 13-15.

### § 3 ITS CAUSES

*Maine*, *Village Communities*, I, iii-v. *Blanqui*, *Hist. of Pol. Economy*, ch. x. *Secretan*, 8 sqq. *Stubbs*, ch. iii.

The causes of feudalism may be classified as remote and direct. Chief among the remote should be mentioned: 1 Incurable individualism on the part of the German race.<sup>1</sup> 2 Ignorance and barbarism. The feu-

dal ages were indeed not devoid of intelligence: the light of classical times had not gone out. But it had become entirely theological, non-political. The policy of the church was to discourage political study and thinking.<sup>2</sup> The steadiness projected from the Roman state had been dissipated, while the thoughtfulness and self-restraint necessary to a reign of law were not yet born. 3 Poverty. The revenues requisite for a salaried public service not being obtainable, maintenance of order was forced to connect itself with ownership and use of land. Such necessity seems to have marked a phase in the early life of every people.<sup>3</sup> The phenomenon which we here study, at any rate, simply marks a general process of land feudalization characterizing a certain grade in the political and economic growth of all the Aryan peoples. The universal primitive form of land ownership was the collective.<sup>4</sup> The invasions found the German village communities, where those of India are to-day, just emerging from this. Headmen of clans seized part of the land as their private possession,<sup>5</sup> and asserted over the rest a guardianship which gradually merged into a suzerainty.<sup>6</sup> The primitive, democratic community turned into a manor. We thus see that grants of land did not originate feudal practice but only aided<sup>7</sup> it, which explains the partial feudalization of non-Roman Germany and of Saxon England.

<sup>1</sup> Roth in the *Einleitung* of his F. u. U. protests against this estimate, and scolds Niebuhr for agreeing with F. Schlegel that 'the German's true constitution is anarchy.'

<sup>2</sup> Accordingly when, under Philip Augustus, Roman law came to be ardently studied in France, the pope solemnly forbade the monks to take it up. Cf. Martin, France, IV, 91.

<sup>3</sup> See Maine, V. C., v; Secretan, 8 sqq.

<sup>4</sup> De Laveleye, Primitive Property.

<sup>5</sup> On the transition from Mark to manor, besides Maine, v, see Kemble, Saxons in England, I, 54 sqq. The Mark was a group of households democratically organized and governed, cultivating in common; the manor a group of *tenants to a lord*, aristocratically organized and governed. See Ch. IV, § 9, n. 2.

<sup>6</sup> Communities might likewise, by conquest or by colonization, win suzerainty over other communities. — Maine, 146.

<sup>7</sup> Although feudalism could spring up without grants of land, such grants would powerfully further it, partly by increasing the number of the chief's tenants, partly by binding beneficiaries more closely to him. We can hence understand the rank growth of the system in France as well as the weak in Saxon England.

#### § 4 COMMON THEORY OF ORIGIN

*Martin, H. de Fr.*, vol. i. *Guizot*, Lect., vol. iii, 339 sqq.; *Essais sur l'hist. de France*, iv, v. *Secretan*, ch. i. *Stubbs*, ch. ix. *Freeman*, Norman Conquest, ch. iii. *Roik, Bw.*, *Vorwort*, also 107, 108.

As the direct roots of the system reference has usually been had to four earlier institutions, three Roman, the fourth German, viz., those (1) of clients,<sup>1</sup> (2) of the *coloni*,<sup>2</sup> (3) of the *laeti*,<sup>3</sup> (4) of the *comitatus*.<sup>4</sup> The great majority of qualified scholars have regarded the last of these as the specially active principle, operating from the moment of the invasion upon all the others, particularly upon that of the *coloni*, and have explained feudalism as the effect, gradual but speedy, of the thus blended forces. This theory regards Chlodovech a mere irresponsible chieftain with *comitatus*, rather than a proper king with subjects, a centre of strict public power. The men of his vast *comitatus*, swearing fidelity, not political but to him as a person, receive the crown lands, partly in an allodial,<sup>5</sup> partly in a beneficiary

way, on condition of special service in the Heerbann, which they alone constitute. Then through the general transformation of allodial into beneficiary lands, and the analogy and coöperation of the coloni-arrangement already dominating the other extremity of society, a single, relatively homogeneous system is formed, which passes without essential jar, though of course not without some modification, from Merovingian to Carolingian times.

<sup>1</sup> Two of the regular feudal 'aids,' the ransom of a seignior from captivity and gift of dowry-money on the marriage of his eldest daughter, were perfect analogues of obligations which Roman clients owed. — Ortolan, *Explication des Instituts de Justinien*, I, 23. The third regular feudal aid was for knighting the lord's eldest son. Besides the *aids* were other 'feudal incidents': i) *the relief*, a payment by a deceased vassal's heir on his succession, ii) *ousterlemains* or half-years' profits paid to lord when a male ward became 21 or a female 16, iii) *escheats* of lands to lords on failure of tenants' heirs, iv) *forfeitures* for crime involving corruption of blood, v) *wardship* or use by lord of the profits of land during minority of ward, and vi) *marriage* or the right of a lord, lest he should get an enemy for vassal, to dispose of his female ward in marriage on her attaining 14 years of age, to enjoy her revenues till 21 if she refused and of then at will withholding consent to her marriage. *Premier seisin* was an extra relief paid by tenants in chief.

<sup>2</sup> Whatever else is uncertain, it can scarcely be doubted that this institution survived till taken up into feudalism, for the entire system of which, so far as related to land, it furnished, as it were, the *schema*. Cf. Savigny, *sur le colonat romain*, in *Journal pour la science historique du droit*, vol. vi [1828], 273 sqq. [Trans. in *Philolog. Museum*, vol. ii.]

<sup>3</sup> *Laeti* held by the tenure called in Roman law *emphyteusis*. It involved usufruct and full right of disposition in every way, but not the actual fee simple or *dominium*. — Justinian's Institutes, bk. iii, 24, 3. It was nearer to freehold than is the English copyhold, which permits the landlord to work any mines discovered under the estate. Perreclot's theory derives the entire system of feudalism from the *laeti*. He cites many undoubted passages where, when feudalism was at its strongest, *leudes* or holders of fiefs are called '*servi*,' as *laeti* were, and he thinks the difference

between lords and servi [serfs] to have been at first slight, increasing little by little. Guérard, on the contrary, will not admit any analogy between Roman laeti and the Merovingian leudes. Secretan [204] holds that there is analogy, but not, as Perreiot contends, identity. He acutely observes that Perreiot's passages all relate to Alsace, Lorraine and the other border-lands between France and Germany, making it probable that 'servi' is used in them simply for 'ministeriales' [see § 13], and has no reference to the laeti-system. Merivale, Gen. H. of Rome, 581, calls emphyteusis 'a sort of feudal tenure.'

<sup>4</sup> See Ch. IV, § 11 and n. Montesquieu was the first writer to emphasize the influence of the comitatus in originating or shaping feudalism. The habit had earlier been to refer it entirely to Roman sources: view of the Roman school, founded by Abbé Dubos [*H. critique d'établissement de la mon. française*] and best represented at present by Fustel de Coulanges. The latter declares that there existed in Germany nothing resembling the feudal regime, but that this manifested all its germs in a very marked manner under the Roman empire. — *Rev. d. d. Mondes, Mai, 1872*. This is partly the same question canvassed at Ch. IV, § 10.

<sup>5</sup> 'Allods' [allodia] were estates in fee simple, thus differing from benefices. Cf. § 7. 'Allod' perhaps = 'Odal,' old-German for both land-ownership and nobility, related to 'Adel.' See Stubbs, vol. i, 53; Secretan, 96, n. The etymology, however, is doubtful. 'Alod' may be connected with 'Loos,' 'lot,' 'allot,' etc., or from old-German 'Od,' = property, which Guizot [Civ. in Fr., vol. iii, 343] makes the basis of 'feodum' or 'feudum,' the Latin word for fief, 'fee' [= money: cf. Ger. *Vieh* = cattle; Sax. *Romfeoh* = Peter's pence] being the other radical.

## § 5 ROTH'S VIEW

Roth, as in the bibliog. Stubbs, vol. i, 251. Kaufmann, *Deutsche Geschichte*, vol. i, 12 sq., 129 sqq.

In recent years this more common theory of the rise of feudalism has been assailed with prodigious learning and energy by Professor Roth of Munich, who affirms the Merovingian to have been a genuine state, as free from feudal elements as the Roman or the choicest modern, whatever in it resembled the feudal system, except if one will the antrustionate or king's comitatus,

being of a purely private nature. All crown lands were ceded, he believes, allodially, as veritable property, none of them in fief. Recipients of these estates did not alone form the Heerbann, took to the king no special oath, vassal or other, and were under no bond whatever to him save that of political loyalty, which rested upon all. Public law, not private contract, was the basis of social order. According to this adroit hypothesis, feudalism proper had origin only in the ninth century, under the sons of Karl Martell, the great innovation by these rulers being not a generalization of the Heerbann<sup>1</sup> but their secularization of ecclesiastical lands in benefice to their supporters. Roth, Sohm, and even Waitz, seem to exaggerate the political character of institutions under the first race. On students free from German prejudice the sources produce the impression that while Merovingian government was a state in form, and over the Roman population also in fact, the Franks themselves were for long held to their king by a tie conceived not as private in distinction from political, still not yet as exactly political, Chlodovech standing midway between comitatus-chief and king proper.<sup>2</sup>

<sup>1</sup> Loebell has shown that the *Merovingians* required military service from the whole population, Roman as well as Frankish. Roth admits that the kings of the first race had their antrustions. See next n. On these appropriations of church lands, Milman, vol. ii, 391.

<sup>2</sup> Naudet, 449, thus sums up: i Under the first race nobility was attached to the title of '*leud*,' '*antrustio*,' '*fidelis*,' and was consequently personal. ii Leudes did not necessarily have benefices, but every benefited man was a leud. The benefice brought with it jurisdiction, hence increase of dignity. iii Heredity of benefices resulted from custom, not from law. Each *fidelis* at court would seek to secure for his son the succession to his antrustionate, and to his benefice if possessing one. At last

heredity became a right in both. iv Concessions of domains in full property began only under the successors of Dagobert [III, 711-'16], at nearly the same time with the usurpation of the seigniories. A seignior at first differed much from an hereditary benefice, as the latter did not then give its possessor the right to homage from residents under his jurisdiction. Roth derives feudalism from three relations, i the antrustionate, ii grants of benefices, iii the seigniorate or subjection of free men to other free men. Only the first, he alleges, existed under the first race. — F. u. U., 31, 205 sqq.

### § 6 WAITZ'S

*Waitz*, as in the bibliog. *Stubbs*, vol. i, 251 sqq.

Professor Waitz, perhaps the ablest authority living or dead upon the question, defends a view congruent partly with Roth's, partly with the old. He emphatically agrees with Roth in regarding the Merovingian a true political state, yet discovers in it already wide prevalence of the comitatus. This institution, he says, no-wise forms the basis of the Merovingian government,<sup>1</sup> at first has no proper political significance whatever, and is not closely related to grants of royal land. These grants themselves, however, this especially the case among the Franks, owing to the vastness of royal domains in Gaul, early acquire significance. Recipients do not, to be sure, become vassals in the crisp sense of later law, yet form somehow a special class, bound to unique fidelity toward the king.<sup>2</sup> Churches and rich individuals also convey lands in similar fief-like fashion. Even in these cases, while, of course, totally unrelated to the comitatus,<sup>3</sup> some promise of protection is generally understood to accompany the grant. Naturally therefore, the vassal-benefice, including by and by the honor and the immunity,<sup>4</sup> becomes by degrees connected in

both thought and fact with the mere-benefice. More important, all these relations, at first purely private — here too Roth is right — press, in consequence of unclearness in political conception, little by little, even under the first house, into the realm of public law, and at last, in late Carolingian time, wholly abolish the distinct existence of this, merging it with private.

<sup>1</sup> Cf. Naudet's view, § 5, n. 2.

<sup>2</sup> This, it will be seen, is W.'s chief point of difference from Roth. He is also clearly correct as against Roth and Sohm in insisting upon the indefiniteness of Merovingian legal and political conceptions and the gradual character of the development of institutions under the first two dynasties. To apply the strict conceptions of modern law to Merovingian jurisprudence implies great lack of the historical spirit.

<sup>3</sup> Perhaps even of Celtic origin, though by the time in question common among Germans.

<sup>4</sup> An 'immunity' was a relief from any public burden, as from a tax or a count's jurisdiction. The custom of granting such came from Roman times. 'Honor' meant the enjoyment of any positive public privilege or income, whether by a public officer, the usual case, or by another. Most honors involved immunity, but not *vice versa*. Naturally honors and immunities were often confounded.

## § 7 TENURES OF LAND

*Secretan*, 375-424.

Till Capet's time, tributary, allodial, and beneficiary lands have to be distinguished. In consequence of the conquest, lands remaining in possession of private owners, probably the larger part of all, freed now from Roman, came, in some irregular fashion, under Frankish tribute. They were mainly owned by wealthy Romans, tilled by coloni.<sup>1</sup> Next most extensive then, were allodial lands, 'allotted' in fee simple to antrustions and fol-

lowers,<sup>2</sup> by kings and chiefs. Nominally untaxed,<sup>3</sup> they were really subject to slight charges, viz., certain gifts to the king and supplies to his agents and guests. These domains, enormous from the first, and for a long time continually enlarged in a great variety of ways, consisted of relatively few vast estates, daily made larger and fewer by encroachments of powerful possessors and by gifts to the church.<sup>4</sup> Still its theoretical superiority continued allodial tenure in favor,<sup>5</sup> the number of these estates considerable. Such possessorship naturally became at length a mark of great, almost of royal, power. Lands of the third class, beneficiary, were originally the exception. Benefices varied in permanence, some revocable at pleasure, some for life, etc., but with a strong tendency, in the end victorious everywhere, to become hereditary. Of highest consequence is the transition, beginning early, of both tributary and allodial territory into beneficiary, due to: 1 Grants of fiefs, to swell retinues and reward services, made by powerful allodial proprietors from their own domains. 2 Like grants for like reasons made by lawless lords, of lands wrested forcibly from others: tributary or royal domains or the property of some neighbor. 3 Voluntary commendation, to escape such and other spoliation, an act by which a proprietor in fee simple transferred to a stronger his title, immediately receiving back his lands in fief, with guaranty of protection and usufruct. The practice of commendation, first touching personal relations alone, and applied to lands only gradually, at length became incredibly common. By the time of Charles the Bald, the first two species of tenure had well-nigh disappeared.

<sup>1</sup> Tributary lands were held by three different forms of tenure: *precarium*, common for church lands [n. 4], *emphyteusis* [§ 4, n. 3], and *censive*. Tributary land under the last tenure differed little from a benefice, and 'censives' were often described and treated as benefices which paid rent, with or without service.

<sup>2</sup> 'Antrustion' was only a special name for a member of the king's comitatus. *Comites* of the great nobles, each of whom, as well as the king, had his comitatus, were designated by some other title, as *fideles* or *leudes*. Allods were most common in the old Burgundian and Visigothic kingdoms, where the barbarians divided among themselves vast private lands. — Secretan, 398.

<sup>3</sup> This was the sole difference between these lands and the tributary. Louis le Debonaire made out a list of the monasteries which 'owed gifts,' showing that these were after all a virtual tax. But these, and the supplies, transportation, and even military service demanded of allodial holders, were remains of the regime of a public power and were not thought of as feudal in nature. Even ecclesiastical lands were not exempt from these burdens. Such allodial obligations were naturally little insisted on when royalty was at nadir.

<sup>4</sup> The church at first held allodially, but might let lands by either of the tenures mentioned in n. 1.

<sup>5</sup> So much so that in Charles the Bald's time the name 'allod' was given to fiefs or benefices. At a later date a precisely contrary diction comes to prevail, and the few remaining allods are called, in Germany, 'fiefs of the sun' [*Sonnenlehen*], in France, '*franc-fiefs*.' St. Louis's Establishments conceive the king as God's fief-holder. Martin, IV, 307.

## § 8 SOCIETY

*Blauqui*, ch. xiii. *Hallam*, ch. ii, pt. ii. *Secretan*, 185-276.

Society fell into classes much, but not exactly, in agreement with varieties of relation to land. Next above slaves, pure serfs of the glebe,<sup>1</sup> belonging partly to the old population, partly to the new, stood a considerable class of freedmen, differing in degree of liberty according to mode of emancipation, royal, ecclesiastical or by charter,<sup>2</sup> but never absolutely free. The old Roman

order of curials or simple freemen, momentarily reinforced at the invasion, by Franks not in the comitatus-relation, soon perished,<sup>3</sup> its members driven by the stress of the times and also by law to the act of commendation. Freeman like freedman must have patron. Consequently, as allodial holders grew few, the great bulk of society came to be composed of such as held in some of its manifold forms the relation of vassals. These were multiplied by the same influences as beneficiary lands. Many and most diverse social conditions were thus in one way and another under feudal contract: all ranks from serf to king, royal beneficiaries and ducal, beneficiaries of land, of office,<sup>4</sup> of service. Great office-holders vied in power with the mightiest allodial lords. Vassals<sup>5</sup> had vassals. Mere personal vassalage even to the king was not hereditary, and involved no exceptional right save that of extra Wehrgeld. A new nobility indeed rose in this period, but it grew out of land. The clergy, feudal too, and the sole bond between classes and nationalities, still formed an order by itself. All its members were revered, the higher powerful almost beyond limit. The character of bishops and abbots as antrustions, if it dulled, did not kill, their popular sympathies, while it incalculably enhanced their ability to shield and help the weak. The church antagonized the spirit of caste by both its preaching and its polity. A serf might become bishop or even pope.

<sup>1</sup> *Servi terrae* included coloni as well as slaves proper, difference between them being now very slight. Cf. Ch. IV, § 6, n. 2, also Guizot, *Civ. in Fr.*, Lect. vii, and Leo, *Mittelalter*, vol. i, 22 sqq., for the manner in which peasants were reduced toward slavery. The approach of coloni to veritable slavery after the invasions was due in part not to their degrada-

tion but to the fact that German slavery was milder than Roman. See Duruy, 234; Thierry, *Tiers État*, ch. i; Choiseul-Daillecourt, *Inf. des Croisades*, sec. i.

<sup>2</sup> Cf. the Roman modes of manumission in Justinian's time: Institutes, bk. i, § 5. Each freedman had to have his patron. If the solemnity of emancipation occurred before the king, he would be the patron; if before the church, the church; if by the master's written document, he.

<sup>3</sup> They were degraded or prevented from rising by the causes exhibited at Ch. IV, §§ 5, 6, and notes. Texts from the transition period still call 'free' peasants who have commended themselves. In the 9th century a man without land could not testify against a free man, but could aid him as compurgator. The thought was that testifying was part of judging. Secretan, 193.

<sup>4</sup> As, e.g., those about the palace and the king's person. The terms 'fief' and 'benefice' at first applied only to land, but gradually came to designate also all sorts of functions, immunities, and honors. The system was, as already said, *based on* land, but parts of it were at some remove from the basis. For the power of the constable of France, Guizot, *Civ. in Fr.*, vol. iv, 13 sq. On bailiffs, seneschals, and prévôts, § 16, n. 4.

<sup>5</sup> The word 'baron' had several senses, the generic, of 'freeman,' the intermediate, in which it meant 'feudal seignior in general' as in the phrase 'the barons of France,' and the specific, 'immediate seigniors,' barons *par excellence*. Synonyme for the last sense was '*sire*.' The *sires* formed but a small class of all who could be called barons. 'Seignior' and 'suzerain' bore a common meaning, being alike applicable to all who had vassals. Obviously the same man might be in different relations both vassal and suzerain or seignior. Rear vassals or 'va-vassals' were vassals of vassals. Investiture was the formal act, usually with ceremony [§ 13, n. 1], by which a suzerain conferred upon his vassal the possession of land. It was preceded by the act of homage, also, when they were separated, by that of fidelity.

<sup>6</sup> I.e., antrustions and other personal vassals did not, as such, form a nobility.

## § 9 FEUDALISM VICTORIOUS

*Guizot*, *Civilization in France*, xxiv and xxv. *Duruy*, 172 sqq. *Secretan*, 82-110. *Hallam*, ch. ii., pt. 1. *Student's France*, bk. iii.

Free institutions, Frankish as well as Roman,<sup>1</sup> perished in early Merovingian times, and in the contest now joined between royalty and aristocracy, everything

conspired to aid the latter. Martell found royal offices already viewed not as mobile, hitherto the case, but as ranks and property, and in process of becoming hereditary. So soon as the marvellously centralized though merely personal government of Karl the Great was past, these tendencies swept all before them. It is noticeable that the chief agents of decentralization were precisely the functionaries nominally representing the central government itself. To explain these results it is not sufficient, though necessary, to recall general causes. Also we must look beyond the weakness of later Carolingians and the size of their empire. 1 The practice of hereditary office, first obtaining the force of law, made itself law. 2 The very excellence of Karl's government aided the disintegrating process by the respect it procured for the officers supposed to represent it.<sup>3</sup> 3 Their immense private ownership and numerous vassals in the districts they administered, inducing confusion between their two kinds of power, caused the separate legal characters of these to be ignored and forgotten. 4 Unprecedented attacks of Avars, Normans and Saracens forced kings to appeal to their great feudatories for aid, to be had only by concessions. Castles now built against Normans enabled their subordinate possessors to defy kings. A similar process affected subordinate principalities. Princes, pressed by private wars for greater aid from vassals, were compelled to yield them larger privileges. 5 Ecclesiastical assumption, asserting the pope's right to judge royal acts and even depose kings, while helpful to freedom in the first instance, wrought mightily to the pulling down of central power.

<sup>1</sup> Cf. Ch. IV, §§ 5, 14, 15 [esp. n. 3]. From Roman institutions all but the form of freedom had departed before the 5th century, but the municipium may be said to have retained the form.

<sup>2</sup> 'It is found that when an official appointed by a powerful government acts upon the lower constitution of a primitive society, he crushes down all other classes and exalts that to which he himself belongs.' — Maine, V. C., 151. This the incipient feudal chiefs did when still in name agents of their government. The size of the empire augmented the evil, as was the case in the old-Roman. Karl Great even could not wholly overcome this.

### § 10 CAPETIAN REACTION

*Stubbs*, ch. i. *Hallam*, ch. 1, pt. i. *Durney*, 198-204, 469 sqq. *Secretan*, 115-140. Student's France, bk. iv. *Kitchin*, vol. i, bks. iii, iv. *Ranke*, Civil Wars and Monarchy in Fr., bk. i. *Guisot*, 2d course, xii.

After Karl the Great the old, half-national ducal system, never really dead, rose again to power. The principalities of France, Aquitaine, Bretagne, Bourgogne, Normandie, Flandre and Champagne became as good as separate states.<sup>1</sup> Only the fear of German imperial designs, especially threatening under Otho I, kept the French kingship in being. When Hugh Capet, on the death of Louis V, elected by his chief peers, and favored by pope and clergy and by his own power and central position as Duke of France, proclaimed himself king, his *de facto* power increased but slightly and only in two ways. There were transferred to him (1) the ascription, not yet quite nominal, of public authority, and (2) the admitted if not efficient right of regulating the royal benefices. The theory that allowed fealty to a king, and looked to him for the maintenance of order and the protection of the weak, still lived. For all this Capet was only one, and not the strongest, among the dukes<sup>2</sup> who bore and were trying to realize the royal title. North, South and West ignored him. Two centuries

failed to crown with success the struggle which he begun, and it must have been hopeless but for the fact that the dominions of his peers were as yet nowise fully organized feudally. Princes' pretensions were far in advance of their admitted rights. Hierarchy was imperfect: seigniors who were not peers claimed and largely maintained independence, often fighting for the king against the peers demanding their allegiance. Yet the struggle could not but be long, since the rivals of the new king, hampered as they were, had immense power. In all but name they were sovereign, no authority above, no tax, no obligation to military service. Nothing but the inherent weakness of the feudal system, coupled with the persistence of the new dynasty in the at first dim, abstract, intangible idea of a general public power as necessary and right, could have restored to France a centralized government.

<sup>1</sup> Their princes, 'peers of the king,' 'peers of France,' called themselves dukes and counts 'by the grace of God.' At the beginning of the feudal epoch the principedom is no more than monarchy itself a feudal affair. It does not relate to land. Princes as such are not yet the feudal suzerains of the other land-holders in their borders, any more than the king is the feudal suzerain of either. I.e., each principedom contained many [feudally] independent barons. The evolution of these political overlords into a proper feudal character was very slow. — Secretan, 116 sq. When in the 11th and 12th centuries the peerage was brought under rule, there were six lay peers of France: the dukes of Bourgogne, Normandie and Aquitaine, and the counts of Flandre, Champagne and Toulouse; and six ecclesiastical: the ducal archbishop of Rheims, the ducal bishops of Laon and Langres, and the count-bishops of Beauvais, Châlons and Noyon. These were the same lay princes as bore this relation at Capet's accession. The ecclesiastics were recognized as princes in the 12th century.

<sup>2</sup> At Capet's *coup d'état*, 987, 150 lords in France coined money. A smaller, but very large, number waged perpetual [private] wars, like sovereigns, refusing to take law from any superior. The capitularies of

Charles the Simple, early in the 10th century, were the last utterances of properly public legislation.

### § 11 FEUDALISM HOW FAR A SYSTEM

*Guérard*, as in bibliog. *Secretan*, 195-230. *Durny*, 302 sqq. *Guisot*, 2d course, iv, v.

Feudalism, to be studied at its most perfect stage, has to be seized while the Capetian family is in mid-struggle. Earlier the system is not developed, later when monarchy has become an essential part of it it turns political, ceases to be feudal. So soon as military service to the state is established, and the rights of all, with the duties of all, even of the highest lords themselves, are pronounced upon and enforced by a central and supreme authority, essential feudalism is no longer present. At its apogee feudalism presents a confederation of petty sovereigns, despots, with arbitrary and absolute power over their subjects, very loosely united by a certain community of interest and by at least theoretical allegiance to the same king. Each of these princes forms the apex to a hierarchy of ranks, two of them, under seigniors<sup>1</sup> and knights, free like himself, the third, or *roturiers*,<sup>2</sup> in actual serfdom though in part nominally free. Duties and rights subsisted only between proximate ranks, the theoretical freedom of a low vassal to appeal to his suzerain of the second degree being rarely used, more rarely of avail. All administrative and judicial offices, all public employments, privileges of every kind had assumed the character of fiefs. Yet the system of feudalism was even now by no means perfect. There were still allodial proprietors outside it, some cities especially in South France retained franchises,<sup>3</sup> degrees of freedom in the rotourier class were various. A prince might

infeud himself to his peer, or infeud that peer's vassal, or both. Cases occurred of princes that were vassals of their own vassals. Even the king of France was for certain lands a vassal to his own subjects. Fidelity, at first perfectly distinct from homage, had become inseparably merged therewith.<sup>4</sup> Such confusion inevitably wrought extensive blending of ranks, and aided royalty by making evident and felt the need of a new governmental organization.

<sup>1</sup> Or rear vassals. A knight might or might not hold a land-fief. If he did, he was in the feudal hierarchy of course. But even if he did not possess land, he was 'the man' of him who had dubbed him knight. For the nature of this ceremony, so similar to the ancient Teutonic rite of receiving a new comes by a chief, see Secretan, 209; Guizot, *Civ. in Fr.*, vol. iv, 20 sqq. Secretan, 210 sq., against Guizot, believes knighthood to be of Spanish-Arabian origin. He derives '*galant*' from the Celtic '*galawn*' = brave. Vassals of one and the same degree of infeudation might of course differ much in the extent and character of their fiefs. There were among the rear vassals, counts and viscounts as well as mere seigniors. Bishops and abbots as temporal potentates also held this relation. Sub-infeudation did not require the suzerain's consent. Also, in spite of the salic law: *de terra salica in mulierem nulla portio transit sed hoc virilis sexus acquirit*, many females in France inherited fiefs, and in Germany female heirs always did so as against males more remote in blood. In Brittany this usage originated the term '*homesse*' as title for a female vassal. The salic law referred in fact only to allodial estates, not to fiefs, least of all to the royal succession, as pleaded by Philip VI of Valois, in 1328, against Edward III of England [Hallam, ch. i, pt. 1]. As to the word 'salic,' Guérard has as good as proved that it is from '*sala*,' the seignior's *house*, *terra salica* meaning the 'home estate.' So Grimm, Eichhorn and Mittermeyer, but not Guizot, who holds to the old view connecting 'salic' with '*sal*' = the sea, and the 'Salian' Franks. But salic land is much oftener mentioned in connection with other peoples than with the Salian Franks. It may have meant the entire estate or merely so much as had not been let out to coloni. Secretan, 405, takes it to include the whole, like the *haereditas aviatica* of the Ripuarian Franks. Cf. Hallam, note iii to ch. ii; Martin, vol. iv, bk. xxviii [a very full and able discussion].

<sup>2</sup> Immediately after the invasion there was a class of Teutonic poor the *liti*, parallel and similar to the *coloni*, both these being superior to slaves. By the 11th century *liti* and *coloni* are no longer distinguished, and the difference between them and slaves has become slight. This partly by elevation of the slaves. They are now serfs, bound to the soil, rather than mere personal chattels as once. This betterment came mostly through the influence of the church [ch. iii, § 16, n. 3], partly by the operation of the Roman law rule *partus sequitur ventrem* in determining persons' status as bond or free. Women oftener than men married beneath them. 'Villains' were in regular feudal times on nearly the same level with serfs, but the name usually denotes non-agricultural roturiers, as the people about the castle, villa or village. Villains are thus more closely related than serfs to the bourgeois, town-folk, or third estate. Cf. Guizot, Lect. vii, viii, 2d course. 'Roturier' is, according to Du Cange, from *rump-tuarius* = a peasant, and this from *agrum rumpere*, to break the soil.

<sup>3</sup> Were not, that is, subject to any neighboring feudal lord but to the king alone; i.e., in effect independent. Notice how Roman law influences there kept feudalism from attaining the power in South France which it had in North. Not only allods still remained, but there were waste lands, theoretically the king's, practically *res nullius*.

<sup>4</sup> For the relation of fealty, or fidelity, to homage, § 1, n. 1; also § 8, n. 5. For the kindred distinction between a 'justice'-fief and a fief proper or land-fief, Secretan, 437 sqq.

## § 12 DEFECTS AND MERITS

Guizot, 2d course, iv. Duruy, 237 sqq. Hallam, ch. ii, pt. ii.

As a form of government, feudalism was about the worst possible. Its principle of subordination could not be enforced: disquiet, wars, insecurity were terrible and continual. What order the system did succeed in evoking was more dearly bought than under other types of despotism. The little but officious sovereign, so near, perpetually reminded his subjects of their condition, while their paucity delivered him from the necessity of governing by general rules. Personal government here developed its least worthy species, the prince depending

on force instead of law, ignorant, wilful and cut off by the system from all natural or competent advisers. Nor were these evils, as in many historical despotisms, assuaged by a stately mechanism or an evident high mission of the government, suggesting divine ordination. It cannot be said that feudalism inherited all these ills: it aggravated most that it received, engendered new from its own bosom. But we may admit that it: 1 In efforts toward public order had society and the times against it.<sup>1</sup> 2 Somewhat ameliorated the condition of mere serfs.<sup>2</sup> 3 Through its aristocratic form of tenure, favored the subjugation of lands and the introduction of improved agricultural methods more than a freer system could then have done.<sup>3</sup> 4 Greatly furthered sentiments of chivalry, such as honor, fealty to superiors and the exaltation of woman.<sup>4</sup> 5 Was a main source of the ideas of self-dependence, personal dignity and regard for personal liberty,<sup>5</sup> as these appear in modern governments and life. 6 Greatly aided through its cultivation, direct and indirect, of these ideas, to effect first the birth then the enfranchisement of that third estate<sup>6</sup> which the Roman empire had annihilated and by the aid of which alone the Capetian kings were enabled to recreate government in the proper political sense, public and centralized.

<sup>1</sup> Cf. § 3.

<sup>2</sup> Feudalism herein merely concurred with other causes, religion and the growth of men's knowledge of men. It acted partly by the prominence it gave to the principle of land, making the slave an *adscriptus glebae* [§ 8, n. 1] instead of a personal chattel, and partly by its continual exhibition of free men contending for their freedom as a precious thing.

<sup>3</sup> So Inama-Sternegg, also Maine, V. C., 162. Possessors of land enforced drainage, clearing and the like.

<sup>4</sup> Weber, *Weltgesch.*, I, 757; Symonds, *Age of the Despots*, vii; Hallam, ch. ii; Duruy, 239 sqq.; Secretan, 210 sqq. Feudal law, herein according with both Roman law and Teutonic custom, kept woman under tutelage, yet treating her less and less as a chattel. The establishments of Normandy alone among feudal codes declare that 'no woman has response in a laic court.' The nobles, forced to be much at home, cultivated and came to enjoy the society of their wives and children. In turn this developed female character. But much was now doing aside from feudalism or chivalry to ennoble the individual and to heighten esteem for woman. In the latter regard, worship of the Virgin had great effect. Throughout these rude centuries the church stood nobly, on the whole, for freedom. Serfs became priests, might mount the papal throne itself.

<sup>5</sup> All feudal life displayed these. Even feudalism's worst evils, its anarchy and private wars, had thus their saving aspect. See Kitchin, vol. I, bk. iii, ch. iv, also Mills and Clark, as in bibliog.

<sup>6</sup> See § 16.

### § 13 GERMAN FEUDALISM

*Secretan*, 142-170. *Schulte, Reichs- u. Rechtsgesch.*, 144-287.

This differed considerably from French. It was far less homogeneous, embracing three forms of subordination which remained to the last legally distinct, here mentioned in an order exactly the reverse of that of their origination: 1 *Lehnrecht*, public feudalism or feudalism proper.<sup>1</sup> Strictly the terms *feudum*, vassal and *Lehnsmann* relate to this alone. Here we have a contract truly feudal, and a system somewhat like the French. 2 *Schutzrecht*, quasi-feudalism, the relation between the freeman too poor to equip a horse for war, and the duke or count whom he paid to represent him. This sort of arrangement began under Henry the Fowler<sup>2</sup> during the Avar wars, and made itself permanent. 3 *Hofrecht*, or private feudalism, the continuation of the old comitatus-relation. Vassals of this species, called ministerials, were of very various conditions, form

ing two great classes, the non-military, who fell to the rank of serfs or half-serfs, and the military, who were free, and many of whom became knights, superior in rank to men under *Schutzrecht*. Indeed the distinction between military ministerials and vassals proper grew to be in time mostly nominal. But even the public feudalism of Germany had features of strong contrast with the French. The great immediate fief-holders here never bore to the king, which was finally the case in France, the same relation as vassals upon the royal domains. Other peculiarities of the institution in Germany were the legal and regular manner of its introduction and its connection with royalty. Here royalty introduced feudalism, and was, as to its power, annihilated by the same, while in France feudalism introduced a royal line at whose hands itself perished. Note too the late origin of German feudalism proper, at the close of the Carolingian period.

<sup>1</sup> German feudal law allowed various forms of investiture, corresponding to the various symbols which stood for the different classes of fiefs. Lay fiefs of the first class [immediate] were symbolized by the flag [*Fahne*] and hence called *Fahnlehen*, ecclesiastical fiefs of this class by the sceptre, lay rear-fiefs by the gauntlet, ecclesiastical by the key. — Secretan, 311.

<sup>2</sup> See Ch. V, § 7.

<sup>3</sup> A fief under *Hofrecht* was called a '*Dienstlehen*,' one under *Lehnrecht* a '*Rechtslehen*,' a rear-fief an '*Afterlehen*' [Latin, '*subfeudum*'].

## § 14 ITALIAN

Secretan, 171-185. Hallam, ch. i, pt. i, ch. iii. Duruy, ch. xxix. Weber, *Weltgesch.*, I, 699 sqq. Symonds, *Age of the Despots*. Burckhardt, *Renaissance in Italy*, pt. 1.

In Italy<sup>1</sup> feudalism had no special internal peculiarity but suffered decided modifications from other institu-

tions, viz. the church and the communes. The conquest by Karl the Great changed Italian feudalism in no essential, except to give extraordinary place in it to immunities and honors, which the Franks introduced here just as they were turning hereditary. By ecclesiastical immunities especially, Otho I sought to countervail and humble the Italian counts in their struggle for independence. The power thus obtained by bishops in and about their towns, while it was the germ of municipal liberties, soon raised up a new class of tyrants and rebels, more dangerous to imperial pretensions than the first. Hence we see in Italy the rare spectacle of emperors earnestly strengthening their lay vassals<sup>2</sup> as a check to the *capitani* or heads of the great episcopal families. Conrad the Salian and his son, Henry III, went farthest in this policy. Cities too were now favored as against the bishops, both by the emperor and by feudal nobles. The might of the communes, thus fostered first under episcopal preëminence then by imperial and feudal patronage, became at the opening of the Hohenstaufen period invincible. They quite eclipse in splendor and power all but a few of the feudal aristocrats, many of whom seek alliances with them. Numerous cities of the twelfth century, having acquired the *corpora sancta* of their bishops, swayed territories larger than counties. Several made other cities tributary. Many on the other hand accepted the protection and the rule of neighboring barons. The communes were hence as impotent as feudalism to give Italy a governmental system. Destitute of union except so long as forced to this by imperial persecution, those which secured their liberties were not able to guard

them, and fell prey to tyrants, who, however, were not feudal.<sup>3</sup> No other land in feudal times promised freedom as did Italy, none has enjoyed it so little.

<sup>1</sup> By Italy here North Italy is of course meant: in the South feudalism had much more of its Norman completeness. Cf. §§ 1, 2.

<sup>2</sup> Making them hereditary, e.g.

<sup>3</sup> But pure upstarts, like those of ancient Greece. See Burckhardt, Renaissance, and Symonds, Age of the Despots, esp. ch. ii. A few, however, rose in part by the aid of real or alleged feudal right, or of imperial office, and were hence somewhat more tolerable than the lawless *condottieri* like Guarnieri, whose corslet bore the legend: 'Enemy of God, of Pity and of Mercy'; or Doge Agnello of Pisa, whose servants waited on him on their knees; or Giangaleazzo of Milan, who quartered 5000 boar-hounds on his peasants; or his son, Giovan Maria, who used hounds for his bodyguard, feeding them no flesh but human, which he enjoyed seeing them tear from living subjects.

## § 15 ENGLISH

*Stubbs*, chaps. i-vii; cf. his *Select Charters*, pt. i. *Hallam*, ch. viii. *Gneist*, Eng. Constitution, ch. i. *Freeman*, Growth of do., 740 sqq.; Norman Conquest, ch. iii. *Green*, H. of Eng. People, bk. ii.

The Normans found England already in process of becoming feudal. The old system<sup>1</sup> of holding lands community-wise had been introduced by the Saxons into England only in part. The folclands<sup>2</sup> and the common holdings of Saxon townships were traces of it, but the rule was individual possession. This gravitated toward feudalism through the influence of the comitatus. As in early France, victorious leaders parcelled out conquered districts among their followers, to which additions from the folclands were made from time to time to reward old retainers or win new. Only, in Saxon England, the tie between landholders and their superiors was to the very Conquest at bottom personal instead of properly feudal. The landholder owned his

land in fee simple, his debt of military service being result of ownership, not condition of usufruct. The landless were obliged to have patrons but might elect and change these. Of course the distinction between this and a feudal system was not obvious, and several things increased the resemblance: 1 Unity of the kingdom instituted at once a perfect hierarchy of relations, from the king downward to all recipients of folcland and their dependents. 2 Every possessor of folcland had jurisdiction throughout his territory. 3 Commendation by allodial holders was frequent, especially during the Danish wars. 4 'Heriots' resembled reliefs.<sup>3</sup> Yet in spite of these feudal features the essence of feudalism, at least as to central tenure of land, was not yet present. It came only with the Conquest. Vast numbers of Norman landholders were then substituted for Saxon, and in all other cases the above relations speedily came to be construed silently according to Norman feudal law, England being saved from the thorough-going feudal system of Normandy only by the sturdy and enlightened royal ambition of the Conqueror and his successors, which preserved the Norman-English kingship as an efficient central power, public, not feudal, in character.<sup>4</sup>

<sup>1</sup> See Ch. IV, § 9, n. 2.

<sup>2</sup> I.e., public lands, the very name indicating that commons and waste patches belonged to the folk, not to the king.

<sup>3</sup> For the nature of the 'relief,' § 4, n. 1. The heriot, like the relief, was some piece of property or symbol thereof sent from among the effects of a deceased vassal to that vassal's lord, but with the difference that the heriot looked to the past, as a restoration of loaned property, while the relief regarded the future, being a sort of fee in a suit for re-grant of land. Heriots purported to proceed from dead vassals, reliefs from the heirs of such.

<sup>4</sup> The Norman-English feudal constitution proceeded, like the German, *from* the king, instead of being prepared *for* him as in France. William and his successors continued to govern by sheriffs and militia, as the Saxon kings had. All landholders of consequence were made their immediate vassals. The fiefs of all the great vassals were assigned in numerous widely separated pieces and localities. Rear vassals, like their suzerains had to swear allegiance to king directly. The new line became kings theoretically not by conquest but as heirs of Edward, hence as kings of Saxons, of the whole people, not merely of their Norman fief-holders. Under this plea they were able to conserve whatever of Saxon things favored royal power as against the barons. In the sequel, this adroit fiction told powerfully for English liberty. See the author's *Inst. of Constitutional Hist.*, I, §§ 9 sqq.

## § 16 COMMUNES AND THE THIRD ESTATE

*Rev. historique*, xxi, 91 sqq. *Guisot*, *Civilization in Europe*, vii [ad course, xvi-xix]. *May*, *Democracy in Europe*, chaps. vii, xii-xviii. *Blanc*, *Revolution Française*, Liv. II, i.

During the long wrestle of the French king with his barons rose a third power, the people, destined to final victory over both. It began and for six hundred years served as an ally of monarchy. By the twelfth century numerous French communes, having from their oppression learned to love and defend liberty, were after struggles long and brave, at last free, with elective officers, high justice<sup>1</sup> and their own legislation. To insure themselves against their old feudal masters they sought recognition and charters from the king on condition of assisting him in war. It was by their contingents that Philip Augustus conquered at Bouvines.<sup>2</sup> Their aid was at length so decisive that the lords too were glad to purchase it by larger grants of liberty and immunity.<sup>3</sup> But the communes, which soon sank in significance, opposed feudalism less in this direct manner than as cradles of a new and incalculable social force, the third

estate. The cities that had aided the king to his independence he might rob wholly or partly of theirs, still the burgher spirit remained and increased. Most royal officers, as bailiffs, seneschals and prévôts, were burghers, whose numbers and power as well as many of their specific acts wrought to exalt their class and depress aristocracy. All secular, especially all legal,<sup>5</sup> learning, all technical skill, business enterprise and administrative talent, all great wealth that was mobile, and in particular all earnest national feeling<sup>6</sup> belonged to the third estate. It thus became the leading force in France's political progress, aiding monarchy to first place as against feudalism, then turning against the two, now united to fight it, and thenceforth never lowering its hand till constitutional government was attained.<sup>7</sup>

<sup>1</sup> The communes, more strictly so-called, were the towns Mans [the first] Cambrai, Beauvais, Laon, Amiens, Rheims, Étampes, Vézelay, and a few others, which forcibly wrested their liberty from lords' grasp, high justice and all, while boroughs or *villes de bourgeoisie* were towns which obtained in a pacific way concessions mostly short of high justice. Formally less free than communes, they succeeded better in retaining what freedom they had. Most boroughs were of mediæval origin, but the borough franchise is found to have belonged to many cities, like Paris and Orleans, which, though ancient, seem not to have kept up, as did Marseilles, Arles, Nîmes, Narbonne and Toulouse, the Roman municipal regime [Ch. III, § 13, n. 4]. Every commune had what was called high justice, i.e., could inflict the severest fines and penalties. Some of the boroughs had this *haute* justice, others only the *moyenne* or the *basse*, according to the terms of their charters. Feudal lords likewise had the *haute*, *moyenne* or *basse*, according to their rank.

<sup>2</sup> In 1214, over the formidable allied armies of King John of England and the Emperor Otho IV. Contingents from 16 French towns fought under Philip's banners. His opponents also had burgher forces from most of the Flemish cities. To this battle, which humbled John, England is indebted for the Great Charter.

<sup>3</sup> It became the policy of many great feudatories to attract peasants to their lands by forming villages with special privileges. See Duruy, 340, the charter given by Count Henri of Troyes to his *Villeneuve*. The charter was commonly accompanied by a code of laws, 'customs,' for the inhabitants. Giraud, appendix to vol. i, has an interesting collection of these charters and codes: for Strassburg, Bigorre, Sindelsberg, Soest, Nieuport, Medebach, Montpellier, Carcassonne, Martel, Albi, Furnes, Toulouse and Freiburg in Breisgau.

<sup>4</sup> There were of course many ancillary causes of this Capetian triumph over feudal aristocracy. The foremost were (1) the intrinsic weakness of feudalism itself, (2) the length of the reigns of most Capetian kings, (3) the study of Roman law, (4) frequent choice by vassals of the king as arbiter in their quarrels, (5) the favor of the Gallican clergy, partly out of fear of the king, partly out of love and loyalty, (6) the crusades, impoverishing aristocracy, deranging its constitution and disseminating new ideas, and (7) the creation of an order of royal officers in the proper, non-feudal sense, thoroughly in the interests of the crown: those bailiffs, seneschals and prévôts mentioned in the text. 'Bailiffs' was the name of these *missi dominici* [for such they essentially were] in North France, 'seneschals' in the South. Prévôts were officers of a lower grade, administrative and judicial in function, confined to the provinces directly possessed by the descendants of Hugh Capet. Most of the king's immediate feudatories, following his example, created bailiffs, or seneschals, and prévôts each for his own territory. As one great fief after another became incorporated in the royal domain the local legal and administrative machinery hence adjusted itself easily to the general. Bastard d'Etang, ch. iii.

<sup>5</sup> Jurists especially were third estate men. They carried over to the king of France the ascriptions of authority which the Roman law couples with the emperor. St. Louis permitted cities of South France to use Roman law as their municipal law.

<sup>6</sup> From about 1214, date of the battle of Bouvines, not before, we may speak of 'France' as a political unity, and can detect an incipient enthusiasm for France as a nation [see next §]. Aristocrats have often had *loyalty*, rarely strong *patriotism*. This is emphatically a popular virtue.

<sup>7</sup> Cf. Ch. X, *passim*, esp. § 6.

## § 17    SUGER AND PHILIP AUGUSTUS

*Hallam*, ch. i, pt. i. *Guizot*, ad course, xiii. *Kitchin*, vol. i, bk. iii, chaps. v, vi, vii. *Milman*, IX, iv. *Martin*, vols. iii, iv.

While the Capetians pursued from an early period a political policy, their progress consisted for long mainly in the increase of their feudal power and territory. It was slight at best. In spite of the acquisition of Burgundy by Robert, Philip I, 1060–1108, excommunicated by the pope<sup>1</sup> and at war with William the Conqueror, saw the new royalty at its nadir, the duchy of France, which was the substance and almost the whole of his kingdom, reduced to five counties, between which insolent lords disputed his passage. From this time the course is upward.<sup>2</sup> That march of political monarchy in France, ending in the absolutism of Louis XIV, which made the king the sole judge, administrator and legislator in the land, began with Louis the Fat, 1108–'37. This able monarch attacked insubordinate nobles with energy and success, introducing the principle of his statesmanlike minister Suger,<sup>3</sup> that the royal power was to be viewed and used as an organ of public order and justice. This was henceforth a settled doctrine of the house. Philip Augustus acted upon it in a far larger and bolder way still. He refused to do homage for any of his fiefs whatever,<sup>4</sup> attacked by the *quarantaine-le-roy*<sup>5</sup> the right of private war, and roused the spirit and pride of nationality by successful opposition to the nation's foes in the great victory of Bouvines, where French patriotism figured for the first time in history.<sup>6</sup> Further, by combined fortune, fraud, force and diplomacy, Philip wrested from John the possession

of Normandy and the suzerainty of Bretagne, Poitou, Maine, Touraine and Anjou,<sup>7</sup> results the more remarkable as, shortly before, English power in France, so predominant, seemed on the point of absorbing the French kingdom entire. Lastly, without taking part in the crusade against the Albigenses, he inaugurated the movement whereby that crusade was to result<sup>8</sup> under Saint Louis, in the addition to the royal domains, which apart from this Philip had doubled, of the whole vast territories of the Counts of Toulouse.

<sup>1</sup> See Ch. V, § 16, n. 3. Philip was ten years under the ban and then submitted. Papal intervention in this case was honorable and its effect beneficial. William the Conqueror corrupted Philip's feudatories by offering them lands across channel, and Philip revenged himself by stirring Robert, William's son, to revolt.

<sup>2</sup> Interesting to notice how in the succession of Capetians able kings alternated with *fainéants*. To Philip I succeeds Louis the Fat, one of whose best-deserved titles was 'the wide-awake.' Louis VII came next [1137-'80], with equal propriety dubbed 'the foolish.' It was he who lost above 50,000 men for naught in the second crusade, and who, by the divorce of his first queen, Eleanor of Aquitaine, alienated that province with Poitou to England, whose soon-to-be King Henry II married Eleanor in six weeks from her divorce. Suger opposed this divorce in vain. Philip Augustus, France's next monarch [1180-1223], was one of her very greatest, a worthy successor of Charlemagne, but Louis VIII [1223-'26] was wholly insignificant, leaving 'no glory save that of having been the son of Philip Augustus, the husband of Blanche of Castile, and the father of St. Louis.' Philip the Bold [1270-'85] and Philip the Fair [1285-1314] show the same alternation, and so in some degree do the next pair, Louis X [1314-'16] and Philip V [1316-'22]. The line ends with Charles IV [1322-'28]. At his death rose the great question whether or not the succession should be governed by the Salic law [§ 11, n. 1], Edward III of England, Philip Fair's grandson, claiming as next of kin, though in female line, against Philip of Valois, who succeeded as Philip VI, being nearest in the male line.

<sup>3</sup> Suger's was an interesting life. He and Louis [the Fat] were brought

up together, the prince with the charity boy, in the monastery of St. Denis, where they grew to be warm friends. When Louis in 1108 became king, he took his old intimate for his minister.

<sup>4</sup> As all his Capetian predecessors had had to do for *some* fiefs. Philip's refusal was an assumption of a pronounced superiority *in kind*, of the king over all, even the greatest, of those landholders hitherto esteemed his peers.

<sup>5</sup> 'The king's forty days,' an enforced truce for that length of time between a murder, e.g., and the taking of private vengeance, which the times were as yet too rude to forbid entirely. Yet the interval often led to adjudication by regular legal methods. Choiseul-Daillecourt, *Inf. des Croisades*, n. 99.

<sup>6</sup> See § 16, n. 2.

<sup>7</sup> Arthur Plantagenet [duke of Brittany, and so Philip's vassal], son of Geoffrey, John's elder brother, wished to wrest England from John. Philip permitted French knights to join the expedition. But on April 3, 1203, Arthur was assassinated, by John's own hand according to Guizot, at any rate through his agency. See Freeman, *Norm. Conq.*, ch. xxvii. Philip summons John as his vassal for Normandy to answer for this felony, and on his non-appearance declares that immense fief forfeited to the crown of France. Bretagne, which had been a sub-fief to Normandy, becomes an immediate fief of France, carrying with it Poitou, Maine, Touraine and Anjou, which had subjected themselves to Arthur on Richard's death. On the rise of the French power of the English kings, Duruy, 376. Cf. Green's map, *H. of Eng. People*, vol. i, p. 160 [Shorter H., p. 100].

<sup>8</sup> Martin, vol. iv, 348. The settlement of 1229, at the close of the terrible Albigensian Crusade [Ch. VII, § 16], was to the effect that Raymond VII, the new Count of Toulouse, should give up all lower Languedoc to France at once, hold the remainder of the Toulouse possessions during his life, and make them at death the dowry of his only daughter, the *fiancée* of Alphonso, Philip's third son. The Capetian house thus became for the first time dominant in the South. Philip Augustus did not live to see the arrangement of 1229, yet it resulted from his astute planning. Observe that the Capetian power marched forward by i) increasing the lands immediately belonging to the duchy of France, and ii) reducing the peers of France, or *crown* vassals, to a subjection practically as complete as that of the vassals of France, the legal difference of these two species of subjection being at length lost from view. The evolution had gone far even under Philip Augustus, whom we find treating crown vassals as if they had belonged to his French duchy, forcing them to defer to him, hitherto regarded their peer, as their liege suzerain. Heeren, *Pol. Werke*, II, 166 sq.

## § 18 SAINT LOUIS

*Masson*, St. Louis and the 13th century. *Martin*, vol. v. *Milman*, XI, i. *Kitchin*, vol. i, bk. iii, ch. viii. *Guisot*, 2d course, xiv.

Saint Louis, 1226-'70, was a brave, a sagacious and, at home, a successful captain,<sup>1</sup> yet of his vast territorial acquisitions the sword was much less the instrument than happy negotiations and alliances. His mightiest engine in uplifting his kingdom was after all the transcendent excellence of his character. With little of the folly then so commonly attaching to preëminent devotion, he was a man of the most pronounced religious conviction and life, in righteousness the light of his time, another Aurelius, a better Charlemagne, richly meriting his title of 'Saint.' Abroad he exalted France, being repeatedly chosen arbiter of disputes concerning other rulers,<sup>2</sup> at home he sanctified royalty, the tendency ever after him being to view the king as of necessity the embodiment and source of justice. Thus the royal jurisdiction acquired a prestige and steadiness hitherto unknown. Louis was politic as well as good and brave. More feudal in spirit than his grandfather, less inclined to open breach with the old system, he used measures far more fatal to it than any of those of Philip Augustus. His abolition throughout the royal domains proper, of judicial combats,<sup>3</sup> was an innovation veritably revolutionary. He also dared to legislate for the domains of his vassals, to call burghers into his council and to broaden the right of appeal from feudal to royal courts as well as the class of causes which these alone could try. Every freeman might now if he would, be tried before the king's bailiff if not before the king him-

self. The new rigor and frequency of royal assizes insisted upon by this just ruler brought about the momentous change of the king's court and the court of peers into the Parliament of Paris.<sup>4</sup> In this, the ignorance of the feudal judges unfitting them to handle the now necessary evidence and laws, especially the Roman, more and more pressing into use, plebeian jurisconsults were introduced to aid them. The judiciary became affair of the third estate. Thus, the lawyers as well as the law which they mainly administered being favorable to the king, the entire course of feudal as of royal justice was under his influence and made to minister to his ends.<sup>5</sup>

<sup>1</sup> For his ill success as a crusader, see Ch. VII, § 15. St. Louis pushed conquests at home by no means as far as he might easily have done but for his conscientious and pacific temper. He labored less to extend than to unify and consolidate his realm, to establish order and diffuse and deepen the national spirit. Under him monarchy has become essential to the feudal system, it being now a maxim that the whole lay jurisdiction emanates from the king. Hence feudalism from this time rapidly declines [§ 11].

<sup>2</sup> Most memorable was his intervention between Henry III of England, and his barons. He decided favorably to the English monarchy, yet expressly saving the Great Charter and England's traditional liberties, beautifully exhorting withal, 'that the king of England and his barons do mutually forgive each other, that they do forget all the resentments that may exist between them in consequence of the matters submitted to our arbitration, and that henceforth they do refrain reciprocally from any offence and injury on account of the same.' The appeals of Henry and of the barons and Louis's response are all given in full in Stubbs, *Select Charters*, 406 sqq. Freeman, *Norman Conquest*, vol. i. 52, makes Alfred the greatest of all human rulers and St. Louis next. But Louis could not wholly transcend his age. His 'establishments' condemn heretics to death. He sanctioned the Inquisition, and his confidence in the miraculous power of saints' relics was unbounded, causing him often to be imposed upon by vendors.

<sup>3</sup> By feudal law doubtful cases were often decided by various sorts of ordeals. The defendant must plunge his arm in boiling water and with-

law it unharmed, walk upon burning coals receiving no injury, or float in the water with his arms tied. Plaintiff and defendant often fought to decide guilt, or a suitor regularly condemned might quash his sentence by a successful duel—judicial combat—with each judge who had declared against him, a custom which made might sole determinant of right. Louis's law abrogating this barbarous practice, though meant at first only for his own domain, Philip Fair applied little by little in the remotest districts of France. See Martin, vol. iv, 290 sqq., 303, 311 sqq. Martin, from the origin of the word 'gage' in the phrase 'gage of battle' [gage = pledge: the challenger leaving a pledge with the judges] considers the custom as of Celtic not less than of German origin.

<sup>4</sup> Martin, vol. iv. 294; Thierry, *Tiers État*, I, ii; Bancroft and Desmazes, as in bibliog.; Secretan, 500 sqq. The origin of the Parliament of Paris is uncertain and has occasioned much controversy. The most recent investigations derive it not from the ancient national assemblies [Ch. IV, § 15, n. 3] but from the king's council, i.e., his feudal court. This in turn had grown up from a blending of i) the old feudal court of the duchy of France, such as all the great vassals had, with ii) the court of peers, which Philip Augustus assembled in 1203 for the condemnation of John. We read little of the latter court save on this memorable occasion, for the reason that it pertained to royalty, which till now had for centuries been in abeyance; but the court cannot have been created now. We regard it as in some sort related to the ancient national assemblies. The king's council grew into the Parliament of Paris by assuming certain attributions, anti-feudal in nature, from the royal chamber, to which the king's bailiffs and seneschals rendered their accounts. This famous Parliament [several similar ones subsequently existed in various parts of France], whose history is traceable from this time to the Revolution, was mainly *not* a legislature but a court, yet with administrative and even legislative functions [Ch. X, § 9], division of these powers not being yet thought necessary. The new royal and Romanic judicial system killed out in France the jury-element present in old feudal justice,—this at precisely the time when the jury was becoming a great power in England. See Stubbs, *Constitutional History*, ch. xiii.

<sup>5</sup> In keeping with this was the new definiteness imported even into feudal law by St. Louis's famous 'establishments.' This same king undermined papal power as truly and as unwittingly as he did feudal. His 'pragmatic sanction' contained the principles of Gallicanism, subordinating church to state and setting firm limits to papal power in France. 'The ecclesiastical supremacy built up by a hero, crumbled under the strokes of a saint.'—Martin, IV, 310; Bastard d'Estang, ch. v.

## § 19    PHILIP THE FAIR

*Martin*, vols. iv-vi. *Hallam*, ch. vii, pt. ii. *Durny*, 400 sqq. *Milman*, XI, viii sqq., XII. *Tosti*, *Storia di Bonifazio VIII e di suoi tempi*, 2 v. *Kitchin*, vol. i, bk. iii, ch. x. *Guisot*, 2d course, xv.

This energetic monarch, 1285-1314, continued Saint Louis's policy, but in a different spirit, less feudal, less religious, far less just.<sup>1</sup> The age of crusades and of religious fanaticism was past, that of politics come. Philip was the 'lawyers' king,' the spirit of the pandects<sup>2</sup> swaying all his acts. Not without desire of conquest or success therein,<sup>3</sup> he labored chiefly to make his monarchy absolute. He (1) gets into his hands the coinage of money,<sup>4</sup> hitherto partaken by most of the great lords, (2) renders himself independent of his vassals by employing hired soldiers<sup>5</sup> and (3) secures the favor of the third estate by summoning their delegates to the states-general.<sup>6</sup> This was in 1302, when Pope Boniface VIII excommunicated Philip for taxing the clergy. Influenced by the new study of canon law, this haughty pope renewed all the assumptions of Gregory VII and Innocent III.<sup>7</sup> But times had changed and excommunication no longer inspired the old terror. Unpopular as was Philip through the rigor and exactions of his rule, the pope proved more so. The Inquisition and the wealth and insatiable pecuniary demands of the clergy with the dissoluteness of the lives of many among them had alienated the popular heart. The bull *clericis laicos*,<sup>8</sup> forbidding all ecclesiastics to pay tribute unless permitted by Rome, awakened the more hostility from the limitation which Saint Louis had already put to papal authority in France, and although the charges of

misconduct which the *ausculta fili* brought against Philip were mostly true, the latter found not only the states-general but the solid nation at his back against the pope. Boniface, defeated, died, and with him, so far as its power was concerned, his theory of the papacy. 'The drama of Anagni is to be set against the drama of Canossa.'<sup>9</sup> With the papacy fell its chief supporters in France, the Templars. The king's attack upon these, witnesses in the strongest manner to the power royalty had now attained, since they were numerous and wealthy, related to all the aristocracy of Europe, and nowise clearly guilty of the charges brought against them.<sup>10</sup>

<sup>1</sup> Martin, IV, 392, well sets forth how despicable Philip Fair's government was. Had it not been a means to something better than itself it would appear even less tolerable than feudalism. We are in doubt whether to approve his motives in attacking the Inquisition, forbidding clerks to practise in civil courts or any but manifest heretics to be imprisoned on religious grounds.

<sup>2</sup> See Ch. III, § 11, esp. n. 5.

<sup>3</sup> He took Guyenne from Edward I of England, and conquered all Flanders except Ghent. Flanders was then the richest land in Europe. He inherited his father's war with Aragon, in which he was less successful, though retaining Navarre.

<sup>4</sup> Saint Louis had wrought at this problem but had succeeded only in imparting a measure of honesty to the seigniorial coinage without getting rid of this. Our present word 'seigniorage' to denote the amount by which a piece's real value falls below its face value attests the manner in which feudal 'seigniors' turned coining to their own advantage. The practice of Philip was no better. See Martin, IV, 426.

<sup>5</sup> The beginning in France of standing armies.

<sup>6</sup> An assembly of the barons, chief ecclesiastics and deputies of communes, 2 or 3 from each, 'to deliberate on certain affairs concerning in the highest degree king, kingdom, church and all and sundry.' Its prototype was the ancient national assembly, now so long in *désuétude*, yet this of April 10, 1302, was a fresh beginning, and is justly reckoned as the first states-general in French history. Had the feudal aristocrats been wise

they would, as they then could, have prevented this influential precedent of summoning burghers.

<sup>7</sup> See Ch. V, §§ 13 sqq.

<sup>8</sup> These papal bulls are usually, as here, named by their opening words. On Saint Louis's attitude to the papal power in France, see last §, n. 5. In the *unam sanctam* Boniface even exceeded in assumption his famous predecessors named. I, he said, am emperor and king in being pope. He was the pontiff who founded the University of Rome, mainly to advance the claims and widen the knowledge of canon law. See Creighton, *Papacy during Reformation*, Int.; Voigt, *Wiederbelebung d. kl. Alterthums*, II, 44.

<sup>9</sup> Martin. Wm. of Nogaret, a bright but pliant emissary of Philip, went to Anagni where Boniface was sojourning, and, allying himself with Sciarra Colonna, the pope's deadliest enemy, and bribing the militia of Anagni, secured Boniface's person. Colonna even smote the pontiff, 86 years of age, with his ironed gauntlet, which must have been a concause of his death. See Duruy, 410. The popes now became creatures of French kings. Omitting Benedict XI, the first [reigning but 7 or 8 months], Boniface's 7 immediate successors resided at Avignon [papal territory indeed from 1348-1791 yet within and subject to France], and the western church was as subservient to France as the eastern of old to the emperor. Creighton, I, 22 sq., shows how this enslavement proceeded from the introduction of Anjou into Naples [Ch. V, last § and notes], the precise arrangement which popes supposed would set them free.

<sup>10</sup> On the suppression of the Templars, see Michelet, *France*, vol. iii; Milman, XII, i, ii, v; Werner, *Templars in Cyprus* [a poem].

## § 20 MONARCHY SUPREME

*Duruy, Temps Modernes*, ch. ii. *Kirk, Hist. of Charles the Bold. Communes, Memoirs* [of Louis XI, Charles VIII and Charles the Bold]. *Student's France*, bk. iv. *Küchlin*, vol. ii. bk. i.

At Philip the Fair's death in 1314 the French monarchy stood forth as a victorious national and political power, past all serious danger.<sup>1</sup> Even the desperate feudal reaction under Charles VII and Louis XI,<sup>2</sup> 1422-'83, was unavailing. If the Hundred Years' War,<sup>3</sup> 1339-1453, weakened the monarchy absolutely, it precisely as

in England much strengthened it relatively to all the feudal elements of society. Many old aristocratic families were ruined, standing armies were introduced, foreign war had deepened and quickened national feeling. The end of the fifteenth century saw feudal opposition to royalty practically dead, France one state and people with but one law for all. The monarchy after Louis XI was theoretically as well as practically absolute, the states-general at Tours in 1484 propounding the maxim that 'all justice emanates from the king.' Francis I could confirm his ordinances by the '*car tel est notre bon plaisir*,' and the descendants of those lords before whom early Capetians had trembled learned to beg as a distinguished honor the privilege of passing the king his food at dinner or his night-robe when he retired. Two errors must here be avoided, that of supposing the whole of feudalism to have vanished with its power against the king,<sup>4</sup> and that of regarding this victory by monarchy immediately a victory for freedom.<sup>5</sup> To a great extent it was the reverse. Kings protected communal liberties only while the communes were of aid in fighting aristocracy. The aristocracy, once humbled, found the king ever its trusty ally against the third estate, which in the great Revolution had to overthrow both together.

<sup>1</sup> Philip Augustus was the last prospective French king to be crowned during a father's lifetime, as had been thought the necessary course among the earlier Capetians and in the empire [Ch. V, § 9, n. 2]. Philip the Bold's coronation was delayed months after Saint Louis's death.

<sup>2</sup> Duruy and Kirk, as above. To Louis XI at his accession, 1461, the outlook was indeed forbidding. The aristocracy made its last great fight for supremacy in the so-called *Ligue du bien public*, formed by 500 princes or lords and headed by the famous Charles the Bold, or Rash, duke of

Burgundy. The latter's domains about equalled Louis's in size [see Bryce, Appendix A], and he was bent on enlarging them into a vast kingdom continuous with that which the Treaty of Verdun, 843, had given to Lothar [Ch. V, § 7, n. 2], a plan necessitating his seizure of Switzerland. He was encouraged rather than aided against Louis by Edward IV of England, now in mid-struggle against Lancaster. But Charles, falling out with Emperor Frederic III, besieges Neuss, then attacks the Swiss, giving Louis leisure to subdue all his other turbulent vassals. Charles's fall in the battle of Nancy, against the Swiss, Jan. 5, 1477, left the French king absolute master. It must be remembered that Charles the Bold was *duke* and *vassal of France* only in respect to the southwestern section of his territories, i.e., the northwestern part of the ancient kingdom of Burgundy, joined to France by Clovis's sons [Ch. IV, § 17], now the departments of *Côte-d'Or*, *Yonne* and *Nièvre*, and that for *Franche-Comté*, nearly the present department of *Haute Saône*, he was a *count* and a *vassal of the empire*. For his power in the Netherlands also, and the complex manner of its rise, see Freeman, *Hist'l Geog.*, 300 sqq. Duruy sums up Louis's work at T. M. p. 25. Cf. Michelet [Eng.], bk. xi, ch. ii, Martin, vols. viii, ix, and Willert, *Reign of Louis XI*. The year of Louis's death, 1483, witnessed the birth of Luther and of Rabelais.

<sup>3</sup> The neatest account of this war from the French side is Duruy, *Moyen Age*, ch. xxvii. Read also Student's France, bk. iv, and Kitchin, bk. iv [in vol. i].

<sup>4</sup> The League and the Fronde of Huguenot days were in large part feudal phenomena. See later sections of Ch. IX, also Ch. X, §§ 3-5.

<sup>5</sup> Even the new civil law was nearly as faulty through its subtleties as the feudal had been through irregularity. Michelet, int. to vol. vii, seems to conceive the victory of monarchy as a downright curse, worse than feudalism. This is too severe. Interesting to mark how in Norman England, where the barons were fewer and more united than in France yet the king more advantageously placed from the first, neither party was ever in condition to slight the commons, and liberty strode forward early and strongly. Ch. IX, § 18, n. 1.



## SELECT BIBLIOGRAPHY TO CHAPTER VII

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## CHAPTER VII

### ISLAM AND THE CRUSADES

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#### § I ARABIA BEFORE MOHAMMED

*Gibbon*, ch. l. *Sale's Koran*, prelim. Disc., i. *Milman*, IV, i. *Kreel*, *Vorislam*.  
*Flügel*, *Gesch. d. Araber*. *Duruy*, ch. vi. 'Arabia,' in *Encyc. Brit.*

To the Teutons, Slavs and Huns setting forth for the *bouleversement* of the world, succeeded the Arabs. Upon these remote nomads in their isolated home the great classic peoples and ages had scarcely exerted any influence.<sup>1</sup> Of the conquerors: Alexander, the Ptolemies, Pompey, Augustus, Trajan, who meditated Arabian conquest, the last alone gained foothold in the land, and he only in Petræa.<sup>2</sup> The seventh century found the Arabs as they were earlier and are now, in a state of nature rather than of culture, intelligent though more imaginative than deep, warlike, living in clans, without ability or desire for strong or central government. Chronicles and myths were their only history, Sabianism<sup>3</sup> their dominant religion. Mecca with its Caaba<sup>4</sup> was already a national sanctuary, the centre of a sort of fetish cult, whose exact nature is unknown. Judaism was present, some tribes having embraced it. The Bible existed in Arabic and was respected. Christians, mostly heretics, as Ebionites,<sup>5</sup> Arians, Nestorians, Monophysites, had sought refuge there and disseminated

their doctrines with more or less success. It resulted that monotheism had secured wide sway, and that among the more thoughtful, idolatry was less a conviction than a habit.

<sup>1</sup> See Horace, Odes, I, xxix, III, xxiv, to the effect that the kings of Sabæa had never yet been conquered and that their immense wealth was yet 'intact.' The very expedition to which Horace refers in the earlier passage cited, i.e., that of Aelius Gallus in B.C. 24, under Augustus, was an entire as well as a very costly failure. Alexander the Great intended to invade Arabia but died before executing his purpose.

<sup>2</sup> The triangular piece of territory between the two branches of the Red Sea.

<sup>3</sup> Star-worship, originally derived from Babylon, but in Mohammed's time modified by Christian elements. See Sale's Discourse, section i. The Sabians were tolerated by Mohammed on paying tribute, and were known in later centuries as the Christians of St. John the Baptist.

<sup>4</sup> Gibbon, ch. I, has a good description of this very ancient temple. When it was purified by Mohammed of its 360 idols, one of these was found to be a Byzantine image of the Virgin, the infant Christ in her arms. — Duruy, *Moyen Age*, 95. Duruy believes that part of the early Christian influences in Arabia were from Abyssinia. The Abyssinians were Christians, and had conquered S. W. Arabia [Yemen] in 525 A.D.

<sup>5</sup> The Ebionites were those numerous primitive Christians who, while accepting Christ, still held to all the Jewish observances. The other sects named are briefly described at Ch. III, § 19. Cf. Hagenbach, *H. of Doctrines*, index, and Sale's Disc., ii.

## § 2 MOHAMMED

*Milman*, IV, i. *Draper*, xi. *Wellhausen*, *Muhammed in Medina* [*Lit. Centralblatt*, 44, 1882]. *Irving*, Mahomet and his Successors. 'Mohammedanism,' in *Encyc. Brit.*

Mohammed originated much, but less than is commonly supposed. Among the world's great men he is the hardest to judge fairly, — not an impostor, nor a mere fanatic, yet fanatical, politic, selfish and unscrupu-

lous while deeply religious, nervous, given to visions, perhaps mentally deranged.<sup>1</sup> His early history is little known.<sup>2</sup> He was of noble blood, handsome, eloquent. He had travelled much, meeting both Christians and Jews, unfortunately learning of Jesus mostly from apocryphal<sup>3</sup> sources, and of Judaism from the Talmud.<sup>4</sup> The great, inspiring idea which he obtained hence, lifting him above his people's superstition and making him master of their hearts and wills, was the unity of God. 'There is no god but God, and Mohammed is his prophet.'<sup>5</sup> Forced in consequence of his attack on idolatry to flee from Mecca, his temper grows harder, his ambition and methods more worldly, his teaching less spiritual. Tangible and base rewards are promised to believers, who now multiply more rapidly and appeal to the sword.<sup>6</sup>

<sup>1</sup> He is said to have been subject to epileptic fits.

<sup>2</sup> Mohammed belonged to the Koreisch tribe or sept, and to the Hashim family. The tribe claimed descent from Ishmael. The Hashims had charge of the Caaba. The family tie all Arabians held sacred. Family rivalry caused in great part the sectarian quarrels among Mohammedans. See § 4, and notes.

<sup>3</sup> I.e., those multitudinous second and third century writings about Christ and early Christianity composed in imitation of the New Testament documents. See 'Apocrypha' and 'Canon' in Encyc. Brit., Hilgenfeld, *Nov. Test. extra Canonem Receptum*, and Hone, N. T. Apocrypha.

<sup>4</sup> The Talmud is a collection of Jewish traditions, authoritatively [in Jews' view] illustrating and complementing the Old Testament. It has two parts, the Mischna, which is the original tradition proper, and the Gemara, or later comments of various Rabbis upon the Mischna. The whole was for long orally transmitted, but the Mischna began to be reduced to writing about 200 A.D.

<sup>5</sup> See Koran, ch. xxxv and *passim*.

<sup>6</sup> Bestmann, *Anfänge d. katholischen Christenthums u. d. Islams* [Nördlingen, 1884].

## § 3 HIS DOCTRINE

*Draper*, xi. *Sale*, *Koran*, with prelim. Disc., iii-vii. *Kreel*, *Ueber den Koran*.  
*Sayous*, *Jesus Christ d'apres Mohammed*, etc. *Nöldecke*, *Gesch. d. Korans*.  
*Weil*, *Historisch-kritische Einleitung in den Koran*.

This is learned from two sources: 1 *Al Koran*, a code both civil and religious, alleged by Mohammed to have been revealed to him from God. It is a mixture of meaningless rhapsody with much good moral and religious matter from Bible<sup>1</sup> and Talmud. Noticeable is its decided exaltation of the female sex. 2 The Sunna, or oral tradition, which was committed to writing long after the prophet's death. This is rejected by the Shiites. Mohammed was a severe monotheist. He regarded Jesus,<sup>2</sup> as he did Moses, a prophet true and great, but only human. The worship of him as divine, like adoration of images, he thought damnable sin. He made much of faith, the very word '*moslem*' or '*musulman*' meaning 'believer,' and '*islam*' 'surrender to Allah,' but still more of works, prayers, ablutions, fasts, temperance, benevolence, pilgrimages to Mecca, which remained the national sanctuary, fighting and braving death for the faith. The last he set forth as *par excellence* meritorious. Divine predestination was emphasized and exhibited as absolute, and solemn judgment declared in store for men, as well as resurrection of the body and eternal retribution. It was urged that no true believer could be lost, no unbeliever saved.

<sup>1</sup> The Koran's ever-recurring reminders of God's mercy have a distinct Biblical ring. So its rules concerning females and orphans much resemble those of the Mosaic law. Daughters are to inherit half as much as sons. Husbands must possess authority but are enjoined to use this with tenderness. Monogamy is recommended as pleasing to God, as is the manumis-

sion of slaves, and in no case is a man to have more than four wives at once [ch. iv]. Mohammed's command also did away with the old Arab custom of burying infants alive.

<sup>2</sup> Mohammed to the last denied his own ability to work miracles although admitting that Jesus possessed such. He admits also the miraculous birth of Jesus [ch. xix]. Gibbon [vol. v, 108, ed. Milman.] will have it that the doctrine of the immaculate conception is from the Koran.

#### § 4 MOHAMMEDAN CONQUEST

*Milman*, IV, ii. *Duruy*, ch. vi. *Said's Disc.*, viii. *Gibbon*, l-iii. *Kugler*, ch. 1.

The new faith spread with incredible speed.<sup>1</sup> Mohammed died master of Mecca, prophet, priest and king to practically the whole of Arabia. Yet himself only initiated the enormous conquests which illustrate his name. In less than a century, spite of their mutual contests,<sup>2</sup> constant, fierce, extensive, Islam's armies, offering everywhere the alternatives, 'Koran, tribute or the sword,'<sup>3</sup> had conquered more than half the known world: westward, Africa, Spain, South France and the main Mediterranean isles; eastward, Persia to beyond the Indus; northward, all Asiatic Rome except Asia Minor. Scourges of East Rome, as the Goths and Vandals once were of West, they repeatedly beset the very gates of Constantinople. Rome itself narrowly escaped falling into their hands.<sup>4</sup> For a century Christianity trembled for its existence.

<sup>1</sup> 571, Mohammed born.

622, Hegira, July 16.

630, Mecca taken.

632, Mohammed dies. *Abu-Bekr* Caliph, of Sunnites;

Shiites recognize *Ali*. All Arabia Mohammedan.

634-'44, *Omar* Caliph and Emir. Conquest of the East, including Persia, also of Egypt.

- 644-'56, *Othman* Caliph. Further conquest in North Africa.  
 656-'61, *Ali* Caliph, opposed and put to death by Sunnites, who come to power in the  
 661-750, *Ommiad* dynasty, hereditary, ruling from Damascus.  
 707, Africa conquered to the Atlantic. The Moors.  
 711, Battle of *Xeres de la Frontera*: Moors wrest Spain from the Visigoths. [This battle really on the *Wadi Becca*.]  
 732, Battle of *Poitiers*. Martell. Greatest reach of Mohammedan sway.  
 750-1258, *Abbassids* of Bagdad supplant the Ommiads in Asia. Abdurrahman escapes to Spain and founds the  
 756-1031, Ommiad Caliphate of Cordova. Abdurrahman, Almanzor.  
 935, The *Emir al Omra* secures the temporal power at Bagdad, the Caliph retaining only the spiritual.  
 968, Fatimite Caliphs in Africa.

<sup>2</sup> The schism between Shiites and Sunnites grew into that between strict and liberal Mohammedans in general. The Shiites wished to keep the Caliph's office in Mohammed's family. Abu-Bekr had been M.'s father-in-law, Fatima was his daughter, Ali his son-in-law, Fatima's husband, Abbas M.'s great-grandson. Fatimites, Alides and Abbassids were therefore Mohammedans of a stricter type than Othman and the Ommiads, the latter representing more the Koreisch tribe, who had first driven the prophet from Mecca, hating the Hashims [*§ 2, n. 2*], ignoring the family principle, using wine, etc. They were bitterly opposed by the Arabian Mohammedans, whether in Arabia or about Babylon, where many immigrants from the mother-land had settled. At last the family of Abbas, under the black banner of Abul-Abbas [*Gibbon, lii*], took up the cause of Ali, whom Moawiah, the first Ommiad Caliph, had assassinated, and won the caliphate for themselves and for the family principle again in 750. Of the Ommiads [white banner] all were slain but Abdurrahman, who escaped to Spain. As Damascus had been the Ommiad capital Bagdad became that of the Abbassids. After Abul-Abbas, Almanzor the Victorious, 754-'75, Haroun Alraschid, or the Just, 786-809, and Almanun, 813-'33, were the great Abbassid Caliphs. The same zeal for legitimacy gave to the Fatimites, professing descent from Fatima and Ali, the ascendancy in Africa. This quarrel has come down to our own time, the Turks being liberals, the Mohammedans of Egypt and the Soudan orthodox, heirs of the Fatimite faith and zeal. This is understood to have been at the bottom of the rebellion headed by El Mahdi in the Soudan and Arabi Bey in Egypt against the Turks [whom the English aided] in 1882-'83.

<sup>3</sup> This meant that peoples must either accept Islam, retain their faith at the price of such tribute as pleased the Caliphs, or be exterminated. Notice how soon the religion of Mohammed ceased to be an Arabian affair, becoming ecumenical, held, proclaimed and enforced by Persians, Turks, Copts, Moors, Goths, etc. By the middle of the 8th century the proportion of real Arabian population in these out-lying realms began visibly to decrease. Even earlier Arabia had ceased to send out troops, its inhabitants tending back to the Bedouin life.

<sup>4</sup> See Milman, V, iii.

## § 5 THE CAUSES

*Milman*, vol. ii, 113, 163 sqq. *Duruy*, 97 sqq. *Salé's Disc.*, ii.

For this gigantic revolution history is at a loss fully to account. The main secret of it, beyond question, lay not in numbers, but in a certain wonderful inspiration which, at this particular juncture, transformed the Arabian people, due to (1) the truth in their religion, especially its central idea, divine unity,<sup>1</sup> (2) the enthusiasm and skill of leaders, notably Mohammed, Amrou, Chaled and Omar, (3) the new sense of national unity, (4) hope of rewards, both temporal and eternal,<sup>2</sup> (5) fatalism.<sup>3</sup> 'Woe,' preached Mohammed, 'to the Musulman who hugs his hearth rather than go fight. Death he cannot shun, for the term of life is fixed. Fear the heat of combats? Hell is hotter! Flee? Paradise is before you, hell's flames behind.' Also, Islam found Rome and Persia weak. Both these empires were large: in each, provinces lay remote from the capital, difficult to administer. All Rome's Asiatic and African subjects were disaffected politically, theologically.<sup>4</sup> The Coptic and all the African Christians welcomed, if they did not invite, the invaders. Worst, the corruption of eastern Christianity had now rendered it spiritless, as unworthy

as it was unable, successfully to oppose this new and dreadful foe.<sup>5</sup>

<sup>1</sup> It can hardly be doubted that the early Musulmans held a purer monotheism than the eastern Christians of their time. They were also the peers of those Christians in all elements of conduct and character. Their aggressive belief encouraged and may have originated iconoclasm [Ch. IV, § 19]. An imaginative race just opening its mind to the conceptions of unity and moral order in the universe could not but find them infinitely stimulating.

<sup>2</sup> Many even of the latter were not of the most spiritual nature. However, one cannot in fairness to the prophet interpret his sensuous pictures of the future state so coarsely as his Christian critics have usually done.

<sup>3</sup> Nor did the prophet in urging this, fall, as all the logic-books imply, into fallacy. It is strictly true that if the term of one's life is *fixed* one will die at that limit *whatever he does or omits*. Nor are urging and exhortation unreasonable under the hypothesis named, as they may be among the fated conditions to the fated result. Cf. Cicero, *de fato*, xii and xiii, Schopenhauer, *Welt als Wille*, I, 356.

<sup>4</sup> See Montesquieu, *Grandeur and Decadence of the Roman Empire*, chaps. xxi, xxii.

<sup>5</sup> Milman, vol. i, 24, Michelet, France, bk. iv, ch. iii.

## § 6 SPAIN AND FRANCE

Hallam, ch. iv. *Coppee*, Arabian Conquest of Spain. *Viadot*, *Mores d'Espagne*.  
Irving, Conquest of Spain.

Incorporating the Berbers or Moors,<sup>1</sup> the Saracens crossed into Spain, invited by the Gothic traitor, Count Julian, and enraged by the aid which the Visigoths had furnished to their Byzantine foes in Africa. The Goths now held practically the entire peninsula,<sup>2</sup> having absorbed the Sueves and driven the Byzantines from the coast. The state had acquired still further strength by becoming catholic,<sup>3</sup> yet proved far weaker than it seemed. Its elective<sup>4</sup> character caused numerous bitter factions and left the nation practically without a head.

2 The poor and the Jews, oppressed, hailed and helped the Saracens as their deliverers. 3 Owing to the long peace that had prevailed arms and military discipline had been laid aside, battlements and strongholds razed. 4 The clergy was powerful and overbearing. The Council of Toledo had become a national parliament, wherein, despite the presence of lay members, bishops were omnipotent, hating, hated, and at best poor advisers for time of war. Of the order and character of events in this revolution we know little. From their costly but complete victory at Becca the Moors pressed rapidly northward. In eight years they had subdued the whole Gothic realm except the little kingdom of Asturias.<sup>5</sup> The crisis for Christianity when, in 720, they passed the Pyrenees, was not then appreciated. The Frankish kingdom was distracted by internal feuds, selfish and temporary, not Christian, interests ruled the hour. Eudo of Aquitaine was left to oppose the Saracens ten years alone, and to be crushed by them, Martell himself assisting, before Martell would draw sword against the common foe. The victory of Poitiers,<sup>6</sup> 732, that so solemn moment in history, was due less to the devotion of Christians than to the dissensions of their enemy. After raging seven days it was a drawn battle, although the Moors retired next night, Poitiers remaining the northern term of their march. The Franks required seven years to cut their way again to the Pyrenees, Septimania<sup>7</sup> obeyed the Crescent till 759, the brilliant career of the Caliphate of Cordova now began.

<sup>1</sup> These peoples were a mixture, not yet complete, of Carthaginian, Roman and Greek with old-Mauretanian racial elements. See Chénier, *Recherches historiques sur les Maures*, 3 v. The first Moorish landing in

Spain was in May, 711, the decisive 3 days' battle near the Wadi Becca occurring the next July. The general who headed the invasion was Tarik, from whom Gibraltar took its name [Gibel-al Tarik = 'Tarik's promontory']. Dahn, *Könige d. Germanen*, V, 227, throws some doubt upon Julian's treason.

<sup>2</sup> See Ch. IV, §1, and n. 5. Justinian had recovered certain Spanish coast-towns from the Visigoths. They were all now Gothic again. The Sueves had been swallowed up in 585.

<sup>3</sup> The conversion took place under King Reccared, 586-601, but the Spanish church seems never to have been fully obedient to Rome till the iron discipline of Pope Innocent III, 1198-1216, forced it to be. See Milman, IX, vi. Catholic position was advantageous on the whole, but the lingering sympathy for Arianism was among the causes of weakness.

<sup>4</sup> At the time of the invasions the principles of heredity and election in the kingship both prevailed in the German nations. The Franks developed the former, the Visigoths the latter.

<sup>5</sup> This principality, locked in between the Pyrenees and the sea, was at no time in Musulman hands. See § 16, also 'Asturias' in Encyc. Brit. Asturias was the germ whence first Leon then Castile developed. The heir-apparent to the Spanish throne has been since 1388 called the Prince [or Princess] of Asturias,—at present a mere honorary title though for centuries much more than this.

<sup>6</sup> Or Tours. The battle occurred on a plain between Tours and Poitiers but nearer the latter. Our accounts of affairs at that time betray no sign that Christians were aware of it as a crisis for their faith. See the excellent discussion by Kaufmann, *Deutsche Geschichte*, II, 225 sqq.

<sup>7</sup> Septimania was the belt of coast-land from the Pyrenees nearly or quite to the western mouth of the Rhone. With these statements compare Ch. V, §§ 2, 3, and notes, also Milman, vol. iii, 84. During the entire 9th century no point on the Mediterranean was safe from Moslem attack. Sicily passed to the crescent about 850.

## § 7 THE EAST

*Gibbon*, xxxii, li-liii. *Durny*, chaps. vi, vii. *Weber*, *Weltgesch.*, I, 556 sqq.

Persia yielded to Islam as readily as Spain, far more so than Africa. Its reward came with Abbassid victory,<sup>1</sup> which was essentially a resurrection of the old Persian Empire,<sup>2</sup> with a new religion and with Arab chiefs for

kings. East Rome proved to be Islam's sturdiest foe.<sup>3</sup> Statements of its weakness during this period have usually been much exaggerated. Its strength in extremity is rather the striking and inexplicable fact. Emperor Heraclius had indeed been forced,<sup>4</sup> so early as 638, to abandon greater Asia, and some of his successors<sup>5</sup> paid tribute, but two terrible Ommiad sieges by both land and sea, seven years, 672-'9, and again two years, 717-'19, were pressed against Constantinople in vain. So of eight invasions by the great Haroun Alraschid, 786-809. Severe winters, the ability and valor of emperors and their generals, the newly invented Greek fire, and Byzantine skill in military defence equalling that of the old Romans, enabled the city to defy the art, desperation and countless hordes<sup>6</sup> with which the Musulmans attacked. Note too, that Cordova now aided eastern Christendom, as Abbassids did western. Haroun and Karl the Great were firm allies.<sup>7</sup> These Christian victories were far more important than that of Poitiers.<sup>8</sup> Islam, bold and strong through conquest, brought its supreme energy and resources to the onset. Had it succeeded, Europe was lost. If the Saracens, a maritime power since the first caliph, 647, long kept the advantage at sea, Nicephorus Phocas, 963-'9, recovered Crete and Antioch, and John Zimisces, 969-'76, marched conquering to Bagdad and the Tigris. It seems as if but for the Turks<sup>9</sup> Rome might have won back all her old domains.

<sup>1</sup> See § 4, n. 2. It was the purpose of the Sasanian line of Persian kings to bring their empire back to the limits and the glory which it had in the days of Cyrus and Xerxes. Shapur [Sapor] I, the second of the line, took the Emperor Valerian prisoner in 257, and Julian lost his life,

June 26, 363, fighting against Shapur II near Ctesiphon. Khosrau [Chosroes] I, 'the Just,' 531-79 A.D., brought the Sasanian kingdom to its greatest extent and renown, ruling from the Mediterranean to the Indus. Khosrau II, 590-628, took Jerusalem in June, 614, and, according to tradition, carried the true cross into captivity. It was sent back, and on Sept. 14, 629, a date which the Feast of the Elevation of the Holy Cross still commemorates, the emperor Heraclius, who had re-conquered most of Roman Asia, solemnly set it up again in Jerusalem. Immediately after this reverse and partly in consequence thereof, Persia experienced dreadful internal contentions and civil wars, from which it was still suffering when the Moslem invasion came. Best history in English of these events is in 'Persia,' *Encyc. Brit.*

<sup>2</sup> Einhard, *Vita Karoli*, c. 16, calls Haroun Alraschid 'king of the Persians.'

<sup>3</sup> 'We apply very freely the words *decay, decline, fall*, to the Roman empire of the 4th and 5th centuries, and *effete* is the standing epithet of its eastern division, even when the mighty Macedonian dynasty goes forth conquering and to conquer from the foot of Ararat to the foot of Ætna. The abiding life of the eastern empire still seems to be to many minds the hardest of lessons.'—Freeman, *Contemp. Rev.*, May, 1884. Even Alexius, at the time of the first crusade, who could vanquish the Normans, annihilate the Patzinaks and keep well at bay the Turks, was no weakling. See Kugler, pp. 12, 13.

<sup>4</sup> This brave emperor had no sooner recovered his eastern realms from the Persian than they were again wrested from him by the Musulman armies. By 702 the wave of Musulman conquest had reached China. In 711 the same caliph ruled in Spain and in Scinde.

<sup>5</sup> Irene, 780-'97, and Nicephorus, 802-'13. They had to send the tribute in coins bearing the image of Haroun himself, to whom it was sent.

<sup>6</sup> The caliph Solyman in 717 commanded against Constantinople an army of 120,000 men and a navy of 1800 sail. Haroun's army in 806 numbered 135,000 mercenaries besides a vast host of volunteers, all schooled in the best military science.

<sup>7</sup> At Karl's imperial coronation in 800, he, according to Einhard, received from Haroun the keys of the Holy Sepulchre, besides *vestes et aromata et ceteras orientalium terrarum opes*, and other *ingentia dona*, including an elephant.—*Vita Karoli*, c. 16.

<sup>8</sup> This crisis being second in importance for Christianity only to the raising of the siege of Vienna in 1683 by John Sobieski. Not till after

that, says Kugler, 'did fear of the crescent's arms gradually subside in Europe's heart.' For Nicephorus Phocas and Zimisces, Gibbon, *xlvi*, *lii ad fin.*

<sup>9</sup> See § 10.

## § 8 THE CIVILIZATION OF ISLAM

*Gibbon*, *lii*. *Duruy*, *110, 122*. *Milman*, *vol. ii, 171*. *Draper*, *xiii*. *Renan*, *Averroes et l'averroïsme*. *Lane*, *Arabian Society in the Middle Ages*. *Weber*, *Weltgesch.* *I*, 557 sqq.

From the hellenism now pervading the East,<sup>1</sup> the Arabs derived a new intellectual life and zeal, by which they considerably aided to advance the world's civilization. In the early middle age Spain, not Constantinople, was the main medium of classical light to central Europe. Literature, philosophy, arts, sciences flourished in all Musulman capitals before Christian Europe emerged from barbarism.<sup>2</sup> So did architecture, music and arabesque work, but neither sculpture nor painting. 1 We seem to be indebted to Mohammedan poets for several forms of verse if not for rhyme.<sup>3</sup> However, in literature at large, Islam's scholars, so patient and curious, did little more than copy, comment and transmit. Study did not set them free. The peoples who obeyed the prophet were apparently incapable of attaining culture, literary or other, in its finest forms. Greek was as good as unknown even to their learned, oratory and *belles-lettres* they neglected, their history was wholly uncritical. 2 Of philosophers the Arabians cultivated Aristotle alone, and only through Arabic translations of Syriac ones. In this department also, Avicenna and Averroes aside, there was little originality though great industry. It was in Arabic-Latin versions that Aristotle,<sup>4</sup> Theophrastus and the other great Greeks whom

they knew, were first introduced to Christian savans. 3 The Arabian thinkers were especially creative in science, and in astronomy, geography, medicine and surgery they led the world.<sup>5</sup> The observatory of Samarcand long antedated the earliest in Europe. Arabian astronomers calculated the length of the earth's great circle, the obliquity of the ecliptic, the precession of the equinoxes, and perfected algebra and the Arabic notation, knowledge of both which they probably derived from Alexandria. 4 The Arabians, famous inventors, gave the world paper, which doubled the value of printing when that came, arabesque decoration, the source of so many modern forms of ornamentation, distillation, a large number of medicines, and many novelties in arms, agriculture and business. They are believed to have introduced the olive<sup>6</sup> from West Asia, and gunpowder and the compass from China.

<sup>1</sup> See Ch. III, § 7.    <sup>2</sup> See Ch. VIII, § 3.    <sup>3</sup> See Ch. V, § 5, n. 2.

<sup>4</sup> Except the *καρυοπλασ* and the *περὶ ἐμπνεύσεως*, which existed in a Latin translation by Boethius directly from the original.

<sup>5</sup> Draper, xiii, is best on this. Cf. Gibbon and Duruy, as above, and Choiseul-Daillecourt, 161 sq. The French *chambre des comptes* did not adopt Arabic figures till the 17th century. Michelet.

<sup>6</sup> The pointed arch of Gothic architecture. This origin of it is however not established. On the compass, Humboldt, Cosmos, vol. ii. Chess, Gibbon avers, came from Persia to Greece. In arms both offensive and defensive the Moslems patterned after the Romans, whom they rivalled in the use of them. On a march their army fortified its camp each night. The art of besieging they well understood and had all the devices and gear therefor. They used, with little success to be sure, engineers in fire-proof clothing, drilled to fight the Greek fire, also bows and arrows, spears, lances, greaves, helmets and coats of mail. Infantry formed their main arm, though their cavalry was choice, efficient and doubly paid. Camels furnished them the best means of transportation then known, giving the crescent's armies in this respect great advantage over the Roman. Their

order of battle was the parallelogram with a longer side facing toward the foe. Usually it awaited the hostile charge, then rushed forward with fury. The above applies best to the military system of Haroun Alraschid and his distinguished son, Almamun, — to the forces which East Rome was called to encounter. Gibbon, lii, discusses the Greek fire. On the whole topic, Jähn, *Gesch. d. Kriegswesens* [with Atlas, illustrating modes of offence and defence from earliest times].

## § 9 ITS DECLINE

*Palmer*, Haroun Alraschid [N. Plutarch Ser.]. *Duruy*, ch. vii. *Gibbon*, lii.

Caliphs often ruled well and in government too Islam contributed somewhat to civilization.<sup>1</sup> Spain especially, attained under the crescent unprecedented civil as well as economical weal. Yet their form of government was vicious, unstable through absolutism, caliphs being totally unlimited despots. However, the imposing empire of Islam owed its fall not to despotism alone but also to its size and to the lassitude and factions born of its wealth and success.<sup>2</sup> 1 Spain, then Africa, revolts, and we see Abbassids, Ommiads and Fatimites in deadly mutual war, severally pretending to the entire world-caliphate. 2 Each of these dissolves into a number of still smaller states,<sup>3</sup> at first vassal, then really, at last nominally, independent. 3 Abbassid sovereignty is seized by the Turkish royal guard, who dispose of the throne at pleasure. 4 The caliph, hitherto supreme temporally as well as spiritually, is now forced to cede the temporal headship to his vizier, later called the *Emir al Omra*.<sup>4</sup> Between this and nearly contemporaneous European history mark several instructive parallels: The offices of vizier and *maior domus* were similar in origin, nature, development and issue. In the same particulars the

Turkish Guard of Bagdad, the African at Cordova and the Mamelukes<sup>5</sup> of Cairo resembled the prætorians of old Rome, the Normans and the Isaurians at Constantinople. Both Karl the Great<sup>6</sup> and Haroun divided their empires among several sons. In each case one son soon secured all, and in each the empire underwent the same process of dismemberment.

<sup>1</sup> *Eg.*, Amrou introduced in Egypt direct taxation. In Spain under the Ommiads, Christians retained freedom of worship, their own laws and judges, and held councils by the authority of the caliphs. The tribute demanded of them was not extortionate. The Jews of Spain now fared far better than under the Visigoths. Abdurrahman I [755], Hescham I [787], Abdurrahman II [822], and Alhakem II [961] were wise rulers, protectors of letters and concerned for the weal of their subjects in all regards. Duruy, 121.

<sup>2</sup> Scarcely credible are the accounts of the extent to which taxes, tribute and booty had piled up wealth at Bagdad, for instance. The regular state income of the Abbassid Caliph approached \$100,000,000 yearly. There were prodigious private fortunes as well. Poets, artists, savans, the entire culture of the hellenized East streamed to that golden capital. There came, as in ancient Rome, love of ease, effeminacy, dislike for the stern life which had made the old Moslems irresistible. The thoughtful saw too that most of the wars were purely personal. Apathy resulted quickest in Persia, where the people had accepted Islam easiest. For 100 years native Arabs were the leaders and the kernel of all Moslem armies, but more and more mercenaries were introduced, and even slave-soldiers. Motassem, the eighth Abbassid caliph, dying in 842, had commanded an army of 70,000 Mameluke slaves.

<sup>3</sup> Thus in Spain the racial groups in the army of the original invasion, whose mutual jealousies alone gave Martell the victory at Poitiers, seem never to have become fully harmonized. The arrival of the Ommiad Abdurrahman [§ 4, notes 1, 2] occasioned a fierce civil war. He soon secured the throne of Cordova and ruled in considerable quiet, though hardly a year free from rebellions. In 777 three of his chiefs appeared in Karl the Great's Diet at Paderborn to secure his intervention against their master. Abdurrahman held his own, and his son, Hescham I, took the offensive, crossing the Pyrenees and plundering far and wide, but making

no permanent conquest. Even he however, and all his successors, had the quelling of insurrections for a constant task, which greatly lightened the Christian conquest [§ 16, n. 3]. On the disruption of the Abbassid power, see § 10, and on the whole process, Gibbon and Duruy as above.

<sup>4</sup> 'Prince of princes.' The term vizier continued in use also. The sultans had their viziers.

<sup>5</sup> These were a body-guard of Turkish slaves, who rose to power over their masters and became the rulers of Egypt. Their successors still held the land at Napoleon's arrival in 1798.

<sup>6</sup> But see Ch. V, § 3, n. 2.

## § 10 JERUSALEM

*Gibbon, lvii. Sybel, Gesch. d. ersten Kreuzzuges, 157 sq.*

Just as the power of Bagdad was sinking, a new enemy of the cross appeared in the East, — the Seljuk Turks, for whom the Byzantines themselves had fatally prepared the way by ruining the Christian kingdom of Armenia. The Turks rapidly got possession of all western Asia. Togrul Beg, Alp Arslan and his son Malek Shah, each occupied the post of Emir al Omra, succeeding to the old sway of the Bagdad caliphs.<sup>1</sup> Antioch, also Jerusalem, which had been for the century previous subject to the Fatimites of Egypt, fell into Turkish hands, 1086. On the death of Malek Shah, 1092, his empire broke in pieces<sup>2</sup> and Nicæa was made the capital of the Turkish emirat of Roum, which included most of Asia Minor. Musulman soldiers encamped in sight of Constantinople itself. Pilgrimage to the Holy Land, already an old custom, was especially brisk during the eleventh century.<sup>3</sup> A single company numbered three thousand, another, starting in 1064, seven thousand. Every road to the East was thronged, every ship had its load of pilgrims. Christians had

suffered somewhat under Hakem,<sup>4</sup> but in general the Fatimites had treated them with mildness. Turkish conquest changed this. Violence was now not uncommon, churches were defiled or destroyed, tribute being mercilessly wrung from every pilgrim before he could enter Jerusalem. Many, destitute, were forced to turn back without seeing the holy places, some starved while waiting for succor.

<sup>1</sup> The Abbassids, that is. The caliph-office remained still, but religious only and no longer possessing any influence.

<sup>2</sup> Producing the various sultanies of Iran, Kerman, Aleppo, Damascus, and Roum or Iconium. 'Roum' is the islamized form of the syllable 'Rom' = Rome, seen now in *Roumelia* and *Roumania*, also in *El Roum*, the Moslem name for Turkey even to-day. The office of sultan, [= king, lord, or master] was of Turkish origin, being invented for Mahmud the Great, whose career Gibbon so interestingly recites in lii. In 1061 occurred the decisive battle of Manzikert, where the emperor Romanus Diogenes was defeated and made prisoner by Alp Arslan.

<sup>3</sup> It had begun long before 1000, quickened by the expectation then nearly universal, of the end of the world when a thousand years from the Lord's advent should have elapsed. Martin in vol. iv well discusses the state of the church at the time of the crusades. We must remember that these were in the thought of the times only armed pilgrimages and not unlike many other movements not now connected with them. Gregory VII had proposed a sort of crusade, promising to lead it himself, and had actually assembled 50,000 men [Gregorovius IV, 71]. v. Sybel, 168 sq., thinks that Hildebrand intended the forcible reduction of the eastern church. So hardly two authors agree as to the number of the crusades.

<sup>4</sup> The Fatimite ruler. He was not an orthodox Musulman but a pretender to revelations on his own account, as if hoping to be a second Mohammed.

§ II THE CRUSADES:<sup>1</sup> OCCASION AND MEANING

*Guizot*, *Civilization in Europe*, viii. *Milman*, VII, vi. *Duruy*, ch. xix. *Sybel*, as at last §, 145 sqq. *Kugler*, chaps. i, ii. *Choiseul-Daillecourt*, pp. 3-36. *Michalet*, France, bk. iv, ch. iii.

With desire for free way to Jerusalem wrought three other motives, producing a crusading spirit which was soon a frenzy. 1 The military. Valor, always a marked trait of Teutonic peoples, had been evoked afresh and invigorated by the advent of the Normans<sup>2</sup> and by conflicts with the Avars. Hence their incessant mutual wars, private and public, for which later Carolingian times gave such opportunity. Prospect of a campaign against a common foe offered tenfold inspiration to this martial longing. 2 The ascetic. The church considered hard pilgrimages to saints' tombs and other sacred spots specially efficient means of salvation. If to the Holy Land they were pronounced trebly so on account of the extra time, toil, expense and danger. 3 The religious-political. The crusades are to be understood as the culminating phase in that long battle between the two would-be world-religions, Christianity and Islam. For four centuries Christianity had been on the defensive in Europe, under the yoke in Asia. In parts of Africa it had been crushed out. Even Karl the Great failed to keep the Ebro his boundary. The Mediterranean obeyed chiefly the Crescent, Constantinople was tottering, unless a great blow were now struck, Christendom must fall prey to the neo-Musulmans. The sharpest immediate spurs to action were the cry of the eastern emperor, the inspired appeal of Pope Urban II<sup>3</sup> in 1095, at Piacenza and especially at Clermont, where

thousands instantly responded, and the preaching of Peter the Hermit. The last it is true was far less influential than usually stated, the story of Peter's journey to Jerusalem having been disproved by the newest study of the sources. Peter did not arouse Urban but Urban Peter.<sup>4</sup>

<sup>1</sup> First Crusade, 1096-'99.

Second " 1147-'49.

Third " 1189-'92.

Fourth " 1202-'04.

Fifth " 1228-'29.

Sixth " 1248-'54.

Seventh " 1270.

Jerusalem taken 1099, lost 1187, regained 1229, finally lost 1244.

<sup>2</sup> v. Sybel, 175 sqq., makes the Normans emphatically the foremost representatives of the crusading interest, and gives an instructive account of their character and of its influence upon Europe. Cf. Ch. V, § 9, n. 3.

<sup>3</sup> Milman, vol. iii, 517 sqq., Gibbon, lviii. Adhemar of Puy, Urban's legate and styled by him *dux belli*, was the first bishop to take the cross, and Raymond of Toulouse the first distinguished layman.

<sup>4</sup> So v. Sybel, 195 sqq., and Kugler, ii. Their denial of Peter's visit to Jerusalem according to the story universally believed till v. Sybel wrote, is based on the history of Anna Comnena, lib. x, ed. Bonn. II, 29. She was the daughter of the Emperor Alexius, who, doubtless in her hearing, had had long conferences with Peter on his arrival at Constantinople just before the first crusaders [see next §]. Not only is her account silent regarding Peter's alleged visit to and vision in Jerusalem, but it expressly states that although having made a pilgrimage for the purpose he had failed to reach that city, his way being blocked by the Turks. v. Sybel, 188 sqq., makes it nearly certain that the exalted report of Peter's agency originated in a desire to glorify asceticism at the expense of papal authority. It is first published by Albert of Aix-la-Chapelle, early in the 12th century, and repeated by William of Tyre about the middle of the same. Cf. on this, Hagenmeyer, *La vie de Pierre l'ermite*, and de Marsy's criticism of Hagenmeyer's work in *Pierre l'ermite, son histoire et sa légende*.

## § 12 THE FIRST CRUSADE

*Gibbon*, lviii. *Kitchin*, France, vol. i, 210 sqq. *Duruy*, ch. xix. *Tasso*, Jerusalem Delivered. *Kugler*, ii, also his art. 'Gottfried de Bouillon,' in *Hist. Taschenbuch*, Folge vi, 8ter Jahrg. *Freitag*, *Bilder*, I, 10. *Ranmer*, bk. i. *Michelet*, France, bk. iv, chaps. iii, iv.

The pious enthusiasm verged upon insanity. Hordes of old men, women and children from all Western Europe left their homes and set out, utterly unprepared, for Palestine.<sup>1</sup> Some hundreds of thousands of these, Peter among them, formed the van of the crusade, subsisting by robbery, especially of Jews. Not one of them reached his destination, though a few crossed the Hellespont, to be hewn down by the Moslem sword. Of the crusaders proper, not less than three hundred thousand in number, Godfrey of Bouillon, that true warrior-saint who almost alone supported the dignity of the expedition, was silently recognized as captain. A multitude of knights, the bravest in Europe, were with him, all either of Norman or of Romance stock, few Germans, and no king,<sup>2</sup> having as yet taken the cross. Three different companies by as many different routes<sup>3</sup> reached Constantinople, 1096. After long negotiations with the crafty Emperor Alexius, in which he induced the leaders to swear fealty to him, the army crossed into Roum. Detained a little by the siege of Nicæa and the battle of Dorylæum,<sup>4</sup> 1097, and by dissensions at Tarsus,<sup>5</sup> horribly decimated by heat and privations upon the desert road, they invested Antioch. Here, successively besiegers, victorious (1098) and besieged, they lost and suffered most severely; as much from success as from defeat.<sup>6</sup> Less than fifty thousand reached Jerusalem, 1099. This city, which had been now for three years

again in Fatimite hands, was taken by storm, July 16, the Musulmans being ruthlessly slaughtered. Godfrey, refusing to be king, 'to wear a crown of gold where the King of kings had borne one of thorns,' but made Defender and Baron of the Holy Sepulchre, gave Palestine a governmental organization exactly upon the Norman feudal model.<sup>7</sup>

<sup>1</sup> Moving in several companies, one under Peter, another under Walter the Penniless, a third under Emico, a fourth carrying a banner whereon a goose and a goat were figured, signs, perhaps, of lingering Gnostic and Paulician heresy [§ 16, n. 2]. These marauders evoked hostility all the way, taking from Christians as from Jews. At Constantinople Alexius lost no time in conveying the remnant of them to the Asiatic shore, where their bones were used by the first crusaders proper as material for fortification in the siege of Nicæa. Even before getting out of France, the poor dupes would cry, at sight of each new city upon their march, 'Is not that Jerusalem?'

<sup>2</sup> Henry IV of Germany was excommunicated and at war with his rival, his sons and his vassals. Philip I was excommunicated by Urban II at the Council of Clermont itself [Ch. V, § 16, n. 3]. Spain had its crusade at home. William Rufus was busy with the unsettled affairs of England. Godfrey was the duke of lower Lorraine, and was accompanied by his brothers, Eustace and Baldwin. He had fought for Henry IV [being a vassal of the empire] against the pope, hewing his way into Rome, but now wished to do penance therefor. He and his brothers commanded some 80,000 infantry, 10,000 horse. Other prominent leaders [Gibbon, lviii] were: 1 Raymond of Toulouse, a warrior old and wise but haughty, greedy and obstinate, with a train of 100,000 men. 2 Duke Robert of Normandy, eldest son of the Conqueror, and like his father a stout and valiant fighter, who had mortgaged his lands to his brother, William Rufus, for money wherewith to go crusading. At Dorylæum, by the Ifrin bridge in front of Antioch, and with the provision-train from the Orontes mouth [Cox, 61], his sword decided the victory. 3 Bohemond, son of Robert Guiscard, king of Naples and Sicily. He had fought Alexius already at Durazzo and Larissa, and probably viewed the crusade as a means to that victory over him which those battles had failed to yield. 4 Tancred, Bohemond's cousin, after Godfrey the most beautiful character of the crusade. 5 Stephen, count of Chartres, Blois and Troyes, learned and eloquent, said to have owned 365 castles. 6 Hugh, count of Vermandois,

brother of Philip I. 7 Robert, count of Flandre. Notwithstanding Scott's novel bearing his name it is not certain that Count Robert of Paris went upon the crusade.

<sup>8</sup> Those from the north, under Godfrey, marched through Germany, Hungary and Bulgaria, Raymond through Lombardy and Dalmatia, Hugh, Stephen and the two Roberts, down the peninsula of Italy to Apulia, whence, like Bohemond and Tancred, they crossed to Epirus and traversed this land and Thessaly. On the numbers in this crusade, Gibbon, vol. v [ed. Miln.], 572. Count Baldwin's chaplain wrote that six million in all left the West. Incredible. There were *possibly* one million, including camp-followers.

<sup>4</sup> Nicæa surrendered to Alexius, not to the crusaders, showing that the emperor had an understanding with the infidels. The battle at Dorylæum was on July 4, 1097. On the arms and tactics of the crusaders, Gibbon, lviii, Ferrario, *Romanzi di Cavalleria*, 4 v. [cuts and dissertations on chivalry], Jähn, *Kriegswesen*, 'Arms and Armor' in Encyc. Brit., 'Armor' in Am. Cyclopædia, and cuts on pp. 29, 30, 41 and 78 of Kugler. At time of first crusade the square-topped helmet of the Templars with its door-visor opening laterally had mostly given way to a cone-shaped iron skull-cap, without visor [Kugler, 41]. Plate-armor for gauntlets, greaves, cuirass and shoulder-pieces had begun to be used over the old hauberk or coat of chain-and-ring mail, but some still fought in casque and hauberk only. By end of crusades the full casque, with its band, front, visor and head-piece had come in, as well as complete plate-armor. The lance was the standard weapon, its shaft 18 feet long and enlarged at the butt. Each knight carried also a sword about 30 inches in length, and a battle-axe with a 4 or 5 foot handle. Every knight had his esquire, mounted, and 4, 5 or 6 crossbow-men besides, making up the complete outfit of the 'lance.' Contrary to some authorities, the buckler was employed in the first crusade, but made smaller than later. Christian armor was heavier than Saracen, which closely resembled it [Kugler, 78], and increased in weight from the earlier to the later crusades. The knight rode a palfrey till battle was imminent, then donned his gear and mounted his 'high horse.' The Turks rode small, nimble beasts, and outdid their enemies in rapidity of movement and complexity of evolutions.

<sup>5</sup> Baldwin and Tancred took this city, then quarrelled over it. Tancred retained it, Baldwin pushing east to the conquest of Edessa, where he founded a kingdom which stood till 1146. From Dorylæum to Tarsus the army had hard work to subsist. Many horses died, knights being forced to go afoot. Godfrey and Raymond, ill, were carried in litters.

<sup>6</sup> Famine was upon them while besieging Antioch, relieved only by foraging expeditions and by food brought with difficulty from ships at the mouth of the Orontes. Several times they were nearly forced to raise the siege, armies being sent against them from Aleppo and elsewhere. The Fatimites in Jerusalem offered them peaceful entrance there, which they declined, bent on making it a Christian city. Having gotten possession of Antioch, only by stratagem, they were soon closely besieged there by Kerboga, Prince of Mosul, who had been sent by the Abbassid authorities at Bagdad to aid the troops of Roum. Famine was now terrible. Stephen of Blois and many others escaped from the city and went home. Cats, dogs and Turks were eaten. Godfrey killed his last war-horse for food. At length, animated by the supposed discovery beneath a church in Antioch of the spear-head which had pierced the Lord's side upon the cross [Raumer, vol. i, 2d *Beilage* is on this legend] they attack Kerboga with success, June 28, 1098, raising the siege and opening way for advance upon Jerusalem at their leisure. Breakenridge, *The Crusades and other Poems*, recounts scenes at Dorylæum and Antioch. Read also Tasso, *Jerusalem Delivered*.

<sup>7</sup> Ch. VI, § 2.

### § 13 THE SECOND AND THIRD

*Gibbon*, lix. *Milman*, vol. iv, 250 sqq., 447. *Sybel*, *KL. hist. Schriften*, 1 essay in each v. *Kugler*, v-vii. *Raumer*, vol. i, 496-547, vol. ii, bk. v. *Martin*, France, vol. iv. *Morrison*, L. of St. Bernard.

Edessa having been in 1146 taken from the Christians and sacked, Saint Bernard preaches a second crusade. Emperor Conrad III<sup>1</sup> of Germany and King Louis VII of France march. The German and also much of the French army was annihilated in Asia Minor. Antioch was indeed reached and Damascus attacked, but these efforts, like all the rest of this crusade, proved wholly vain. The third crusade, occasioned by the fall of Acre and of Jerusalem in 1187, was rendered famous by the participation in it of Richard Cœur de Lion, Philip Augustus, Frederic Barbarossa, who was drowned upon the way, and Saladin. Genoa, Pisa and

Venice aided by sea. Some success was realized: Cyprus taken, also Acre, and the coast hence to Joppa ceded to the Christians, with the privilege of visiting the holy places. But Philip and Richard quarrelled, attacks upon Jerusalem led by the latter were twice repulsed, and this savage king on his return from Palestine suffered shipwreck off Aquileia, as well as long imprisonment<sup>2</sup> in Germany, from which he escaped only by the payment of an enormous ransom.

<sup>1</sup> Conrad III was uncle to Frederic Barbarossa, his successor. On Louis VII, cf. Ch. VI, § 17, and note 2. Many of their soldiers accused Christ of having deceived them and became Mohammedans.

<sup>2</sup> He was first arrested by Leopold of Austria, who handed him over to Emperor Henry VI, Barbarossa's son. This treatment is usually explained as revenge for Richard's insult to Austria at Acre, where he is said to have had the Austrian banner trailed in the dirt, but is probably due more to his alliance with the Guelph party in Germany. The ransom was £100,000, double the yearly revenue of the crown. It was raised by (1) an *aid* of 20s. on the knight's fee, (2) *tallage* on towns and on the king's demesne, (3) *hideage* and *carucage*, land-taxes, taking the place of the *Danegeld*, and (4) a *quarter* of all the movable property of every person in the realm. Stubbs, I, 501. The 'Saladin tithe' had been laid earlier, in 1188. It was the first tax in England upon personal property. The same tax was laid in France by Philip Augustus, a tenth of all the movables and revenues of such as did not take the cross. See Blanqui, n. to ch. xiv.

## § 14 THE FOURTH

*Gibbon*, ix, lxi. *Milman*, ix, vii. *Pears*, Fall of Constantinople: Story of 4th Crusade. *Kugler*, viii. *Sismondi*, Italian Republics, II, iv. *Montesquieu*, Grandeur and Declension, ch. xxiii. *Raumer*, vol. iii, 41-98.

Roused by the call of the powerful Pope Innocent III, a new body of crusaders sails from Venice in 1202 under the aged Doge Dandolo. Neither king nor common soldiers accompanying, this was even more than

the first, a knights' crusade. After pausing at the prayer of the Venetians to capture Zara, the leaders agreed to turn aside to reinstate the just deposed Angeli<sup>1</sup> at Constantinople instead of attacking Egypt, their first plan. This object was accomplished, but as the Angeli could not fulfil their promises concerning money and the reunion of the eastern church with the western, the city was retaken, all revolt within suppressed, and a Latin empire erected, 1204. Great barbarity was displayed by these crusaders, to whom is partly due a conflagration destroying much valuable literature. This great 'buccaneering expedition,' really not a crusade at all, well reveals those base motives from which no one even of the genuine crusades was free.<sup>2</sup> 'That a Christian force, assembled for the purpose of fighting the infidels, should turn its arms against the most important Christian city of the time, is an act of unparalleled baseness, nor can anything be conceived more deliberately mean than the treaty by which the spoil of the empire was partitioned beforehand between the nations who took part in the attack.'<sup>3</sup> Venice received many islands and long reaches of coast, the Marquis of Montferrat became king of Macedonia, and French dukes or counts had seats at Athens, in Naxos, Asia Minor and Achaia. Greek kingdoms were formed at Trebizond and Nicæa, the latter of which, under Michael Palæologus, conquered Constantinople again in 1261, putting an end to the Latin rule.<sup>4</sup> But the city never recovered its old power.

<sup>1</sup> Isaac II, Angelus, of the Comneni family, came to the Byzantine throne in 1185, but was supplanted by his brother, Alexius III, in 1195. Isaac II and his son, Alexius IV, besought help from the West, promising

great rewards and the submission of their church to the pope. Constantinople once in their hands, they laid new and crushing taxes as means of fulfilling their contract. Revolt ensues, the upstart Murzuphlus is made emperor, and the Latins return, this time to remain. Great treasure was captured, \$4,046,000 being carried into one church for apportionment. The Venetians were paid \$809,200 ferriage-money.

<sup>2</sup> In his letter to the count of Flanders Alexius cited as motives to go upon the crusade, *amor auri et argenti et pulcherrimarum foeminarum voluptas*. Blanqui.

<sup>3</sup> Tozer, s. v. 'Greece,' in Encyc. Brit.,—a very good brief history of the eastern empire in these times. For a fuller discussion, see the appropriate chapters in Finlay, Hopf, and Hertzberg.

<sup>4</sup> This breaking up of the empire sealed its doom. As soon as the Latins were driven forth the menaces of the Turks began anew and never ceased till Constantinople fell into their hands, 1453. During the Latin sway in the East the *Osmanli* or Ottoman Turks had become the Mohammeden van. They came from the Chinese border, under their chief, Ertogrul, and entered the service of the Seljuk Sultan. The name is from Othman [pron. 'Osman'], Ertogrul's son and successor. Othman's son, Orchan, threw off the Seljuk overlordship, united most of the Turks of Asia Minor under his rule, and left to the emperors at Constantinople and Trebizond nothing but a few coast-towns. In 1356 the Ottomans seized Gallipolis in the Thracian Chersonesus, *in Europe*, whence by sure steps they advanced to the Byzantine throne in less than a century. Moslem historians regard the Sultans of Turkey as the regular successors ['Sultans *el Roum*'] of the long line of emperors from Constantine the Great to Constantine XII, who, with his capital, succumbed to Mahomet II, 1453. See on this, Freeman, *Turks in Europe*; Creasy, H. of the Ottoman Turks, 2 v.; Gibbon, lxiv and the remaining chaps., esp. lxviii; Wallace, *Conquest of Constantinople by the Moslems*.

## § 15 THE REMAINING EASTERN CRUSADES

*Milman*, X, i, iii, XI, i. *Duruy*, ch. xx. *Raumer*, bk. viii, 1. *Michelot*, France, bk. iv, ch. viii. *Martin*, vol. v. *Kugler*, ix-xi.

Meantime Palestine was piteously imploring help from the West, seconded by Innocent, who never ceased to condemn the bad faith which had disgraced the last crusade. King Andrew II of Hungary with a large

train went to Palestine in 1217, but returned at once, accomplishing nothing. The next year John of Brienne, elected King of Jerusalem, proceeded to Egypt<sup>1</sup> and took Damietta. The Muslims offered, upon cessation of hostilities, to cede Jerusalem and all Palestine, but the papal legate would not treat with infidels. More properly named the fifth crusade is the expedition of the excommunicated Frederic II,<sup>2</sup> in which, 1229, he secured by negotiation what arms had long been attempting in vain, the possession of Jerusalem, with Bethlehem, Nazareth and Sidon. Frederic's ten-year truce with the Saracens, who were now in terror of the approaching Tartars<sup>3</sup> or Mongols, the pope denounced and repudiated. Jerusalem was lost again and finally in 1244.<sup>4</sup> The sixth and seventh crusades derive their sole interest from the presence of Saint Louis. The sixth, a large and chivalrous army, again makes Egypt its objective and attacks Damietta. This city was taken a second time in 1249, but in advancing toward Cairo, after terrific losses from pestilence, Louis and his entire host were cut off from their base and made prisoners. The king, ransomed at enormous cost,<sup>5</sup> retreated to Palestine with 6,000 men, and after four years spent there, reached France in 1254. Sixteen years later the saintly monarch took the cross again. Persuaded by his selfish brother, Charles of Anjou, now King of Naples, to lead his army against Tunis, he there ended his pure life and with it the eastern crusades in 1270. Thus these fateful movements were terminated, as they were begun, by France. In 1291 Acre was stormed by the Mamelukes and the Christians evacuated their last possessions in the Holy Land.

<sup>1</sup> Because the Egyptian Saracens were the defenders of Jerusalem. Hence the sixth crusade also directs its attack thither. St. Francis was in Egypt with de Brienne's army. He suffered himself to be taken prisoner that he might preach the gospel to the Mohammedans. He even appeared before the Sultan, who heard him with respect.

<sup>2</sup> Ch. V, § 19, n. 4.

<sup>3</sup> On the marches and conquests of these ferocious hordes, see Gibbon, lxiv; for those of Timur [Tamerlane], *ibid.* lxv. 'Jenghis-Khan' was his title = 'chief of chiefs'; his name was Temoudjin. His following was a mighty agglomeration of Mongol tribes, each under its khan, without civilization, history or close organization. Though under a domineering priesthood they had no deep religiousness such as the early Mohammedans possessed, were in fact scarcely above the level of fetish-worship. Jenghis-Khan, in whose campaigns five million men perished, died about 1225, but a son carried forward his conquests. Killing and burning, always their wont, they swept through Russia to Poland and Hungary. Opposed at Liegnitz in their advance toward Germany they defeated their foe, filling nine sacks with the right ears of the slain [Gibbon]. Dismay seized Europe. 'What will become of us?' asked Blanche, his mother, of St. Louis. The good king, not too pious or too frightened to joke, replied: 'Why, either they will send us to heaven or we them to *Tartarie*,' which name might mean 'hell' or 'Chinese Tartary,' whence the Mongols had come. Frederic II vainly sought to rouse Europe against the invaders. They counter-marched not because beaten, but recalled by the death of the Great Khan, Octai. Russia was a Mongol and an Asiatic dependency till about 1500, when Ivan III [1462-1505] vigorously began its consolidation as an independent power.

<sup>4</sup> On the final fall of Jerusalem into infidel hands, Weber, *Weltgesch.*, I, 753.

<sup>5</sup> £405,280, or about \$2,026,000, according to Guizot, who follows M. de Wailly in supposing the 500,000 *livres* to be livres of Tours. The Sultan, Malek-Moaddam, out of admiration for Louis, reduced the sum by 20 per cent.

## § 16 THE CRUSADES IN THE WEST

*Irving, Conquest of Granada. Stanley Lane-Poole, Moors in Spain [in Story of the Nations Ser.]. Duruy, ch. xxi.*

i Against the heathen Prussians, by the knights of the Teutonic Order.<sup>1</sup> Successful. ii Against the Al-

bigenses,<sup>2</sup> Christians of South France, by Simon de Montfort and his men, incited by Innocent III, to enforce obedience to the papacy. Inquisition: thousands of persons barbarously put to death, civilization crushed.

iii Against the Moors in Spain, reconquering this land for the cross. Out of the Spanish March, and out of Asturias, never Mohammedan, grew in course of time a long line of Christian states: Aragon, Navarre, Castile, Leon, extending across the entire North. The victorious enlargement southward, of these Christian kingdoms, aided by the dismemberment<sup>3</sup> of the Caliphate of Cordova, is full of interest both romantic and historical. Periods: 1 Of the earliest Christian conquest, to 914. James of Compostella the national saint, Christians united, Leon, Burgos and other towns in the Douro Valley won by Asturias, henceforth the kingdom first of Oviedo, then of Leon. 2 Of reverse and Moorish reaction, to 998. Profiting by feuds among his foes, Almanzor the Victorious regains for the crescent all the lost territory south of the Ebro and Douro, and even takes Barcelona and Compostella. 3 Of consolidation and new advance by the Christians, to 1118. The March and Navarre now unite with Aragon, Castile with Leon. Valencia, Saragossa and Toledo are won, Omniad unity is forever broken, and half the peninsula already Christian. 4 Of decisive and sweeping Christian victory, to 1238. In spite of enormous Moorish reinforcements<sup>4</sup> from Africa: the Almoravids, 1086, the Almohads, 1146, and their important successes at Valencia and a few other places, the Christians continued to advance. Especially did Portugal and Aragon, the last now a mighty kingdom, stretching beyond the Pyrenees. From its

total defeat at Las Navas da Tolosa, 1210, the Moorish power never recovers, though maintaining itself in the little kingdom of Granada till 1492, when it yields finally and entirely to Castile.

<sup>1</sup> On this Order, see § 18 and n. 5. The knights go to Prussia [Preussen] in 1226, and become masters there by means of hard battles between that date and 1283. In 1509 John Sigismund, elector of Brandenburg, marries Anne, daughter of the duke of Preussen, and in 1618 the two lands are united. After the energetic reign of Frederic William, the Great Elector, 1640-88, his son, Elector Frederic III, in 1701 announces himself as King Frederic I of Prussia. Preussen was not however even then a part of the empire, the kings remaining in relation to the empire electors of Brandenburg as before. See Tuttle, Prussia to Accession of Frederic the Great, 293. Connect the present note with Ch. V, § 17, n. 4, Ch. XI, § 2.

<sup>2</sup> Read Milman, IX, viii-x, Michelet, France, bk. iv, ch. vi, vii. It was largely to counteract the Albigensian heresy that the Dominican and Franciscan Preaching Orders were instituted under Innocent III. Heresies rather than heresy. Milman discusses (i) the simple anti-sacerdotalists, repudiating the rites and authority of the clergy but otherwise orthodox, (ii) the Waldenses, who rejected tradition and appealed to Scripture alone as fountain of doctrine, and (iii) the Manichæans or Paulicians, who were alleged to believe in an eternal principle of evil in the manner of popular Zoroastrianism. The last were also ascetic in practice. 'The papacy has never shaken off the burden of its complicity in the remorseless carnage perpetrated by the crusaders in Languedoc, in the crimes and cruelties of Simon de Montfort. Heresy was quenched in blood, but the earth sooner or later gives out the terrible cry of blood for vengeance against murderers and oppressors.' Milman.

<sup>3</sup> Cf. § 9, n. 3. In accord with this is the fact that the famous Cid [*El Seid* = 'the lord,' 'the big man,' called in his time 'El Campeador' or 'the Warrior'] who belonged to the third of the periods named in the text, dying in 1099, fought now on the Christian side, now on the Moorish. Beginning with 1028 the Omniad dominion broke up into the little states of Huesca, Saragossa, Tortosa, Toledo, Badajoz, Seville, Granada, Niebla, Algarbia, and Mallorca. Asturias became Oviedo in 792, Leon in 917. Burgos, later called Castile, was first a county of Leon but became independent in 923. They were united again as Castile in 1230, and extended to include most of Navarre. Navarre on the other hand grew out of the

March, being at first the county of Pampeluna, and named kingdom of Navarre about 850. Aragon began as another county of the March, took in several other counties, then fell to the count of Barcelona. Next, as a kingdom, it reached far into France northward and embraced the kingdom of Valencia southward. Its French possessions fell away in 1258, but it got Sardinia in 1297, Naples in 1442. The marriage of Ferdinand and Isabella coupled Aragon and Castile in 1479, and the united kingdom drove the Moors from Granada in 1492 and secured the Spanish part of Navarre in 1502. Cf. Chaps. V, § 20, n. 4, VIII, § 17, and n. Portugal was a county of Castile, its count, Alphonso, assuming independence and the royal title in 1139.

<sup>4</sup> They were successive invasions of conquerors rather, subjecting the Spanish Mohammedans as well as aiding them.

## § 17 RESULTS OF THE CRUSADES:<sup>1</sup> INTELLECTUAL AND SOCIAL

*Milman*, VII, vi. *Guisot*, Civilization in Europe, viii. *Reuter*, *Relig. Aufklärung im Mittelalter*, 2 v. *Kugler*, 423 sqq. *Weber*, *Weltgesch.*, I, 755 sqq. *Choiseul-Daillecourt*, sec. 4. *Draper*, xvi-xviii. *Heeren*, 321-348. *Locky*, Rationalism, chaps. v, vi.

While failing utterly of their original aim,<sup>2</sup> the crusades effected tremendous and far-reaching modifications in European civilization.<sup>3</sup> The Albigensian and the Spanish unified respectively France and Spain and the latter founded Portugal, preparing these three kingdoms each for its great rôle in later history.<sup>4</sup> Still more influential by far were the eastern, involving view of distant lands, contact of men with men, of peoples with peoples, the entertainment of great ideas, and the effort, however vain, to realize them. They acquainted Europe with the institutions, conceptions, literature, art, in a word with the higher civilization of that new continent, the Byzantine and Mohammedan East.<sup>5</sup> Marvellous intellectual quickening followed, broader notions of the world, general enrichment of culture. Crusading deeds

alone furnished much new matter for historical literature,<sup>6</sup> infinite new stimulus for imaginative creation of all kinds.<sup>7</sup> Poetry, music, art awoke to fresh life. The Gothic had now its birth. The preaching orders<sup>8</sup> cherished letters and spread zeal therefor both directly and by evoking literary rivalry. Geography became a science. Knowledge of mathematics, astronomy, physics and chemistry, and of zoölogy and medicine in their various branches reached a perfection hitherto unknown in Europe. The crusades likewise mark an era in language, since they created need of better means for international intercourse.<sup>9</sup> Latin was cultivated more industriously, Semitic study began, the tongues of Europe were assimilated, the foundations of philology laid. Charitable organizations became more numerous and efficient, man as man was prized more highly, and the opening of new avenues to wealth contributed to the culture of all the centuries since.

<sup>1</sup> Choiseul-Daillecourt errs in referring too much, nearly all the advance of the 12th and 13th centuries, to the agency of the crusades. Heeren errs equally or more in minimizing this agency. To distinguish with any great precision between the progress really mediated by the crusades and that which might have occurred without them, is obviously impossible.

<sup>2</sup> To unite the eastern and western churches and bring the Holy Land under Christian government. Mohammedanism too had to give up its out-lying possession [Spain], as Christianity its domain in Asia. Each power conquered nearest home, lost its far lands. The crescent indeed invaded Europe again, in the conquest of Constantinople, securing a foothold from which it has not yet been driven, though it bids fair to be in no long time. Cf. § 7, n. 8.

<sup>3</sup> Heeren's essay on the Political Consequences of the Reformation mentions (i) the crusades, (ii) the Reformation, and (iii) the French Revolution as the great generic overturns in European history since the dissolution of Rome.

<sup>4</sup> Spain and Portugal as discoverers and conquerors, France as leader in civilization.

<sup>5</sup> We can in part distinguish (i) influences which took effect in the lives and thinking of the crusaders themselves, and (ii) influences, ideas, arts, products, etc., which they merely conveyed to Europe. A very great part of all the contribution which the mediæval East made to the West [§ 8, cf. Ch. VIII, § 3] was realized through the crusades. The Latin empire at Constantinople was in this regard of great service to Europe.

<sup>6</sup> The dreary chronicles of monks now yield to the more edifying pages of Villehardouin, the Sire de Joinville, Jacques de Vitry and William of Tyre. No other period of equal length in the middle age presents so many historians as that covered by the crusades. Choiseul-Daillecourt, 182.

<sup>7</sup> 'Romances not only came into greater vogue but also changed their subjects. The fabulous deeds in arms of the Knights of the Round Table, of a Roland, of a Renaud de Montauban, of King Arthur, henceforth furnished only superannuated and unattractive narrations. The languid amours of Tristram, of Lancelot, of André of France, who died from having loved too much the fair one whom he had never seen, gave way to more novel recitals upon Godfrey of Bouillon, the caliphs, the sultans, and upon the prodigies wrought by Egyptian and Syrian enchanters.' Ibid., 211. Cf. Freytag, *Bilder*, I, 11, Weber, I, 765-'94, Raumer, vol. vi, 473-698.

<sup>8</sup> And they were to a great extent products of the crusades. They aroused rivalry in each other, in the older orders, and in the learned not in orders at all. The University of Paris stoutly opposed them, sustained in this by the kings of France, against the popes, who were swift to discover how valuable allies they had in these mendicant friars. Michelet, bk. iv, ch. ix, Lacordaire, L. of St. Dominic.

<sup>9</sup> Michelet speaks of Frederic II as 'one of humanity's voices by which Europe took up again its fraternal dialogue with Asia.' European civilization itself also now received a uniformity which it had not before possessed since the days of the old Roman empire. Family names, armorial bearings and the science of blazonry sprung up during and in consequence of the crusades. See Duruy, 316, Choiseul-Daillecourt, 106 sq. These movements had evil results as well as good. Besides their infinite cost in blood and treasure, we may mention in particular the hatred toward Moor and Jew in Spain, a main factor in the decline of that land in civilization and influence. The enlarged power of the church [§ 18] was also many wise a bane.

## § 18 ECCLESIASTICAL

*Milman*, VII, vi. *Heeren*, 137 sqq. *Choiseul-Daillecourt*, sec. 2.

The eastern crusades exerted a decisive influence in :  
 1 Completing the separation between eastern and western Christendom.<sup>1</sup> 2 Introducing the 'inquisition theory,' so long dominant, of defending and propagating truth.<sup>2</sup> 3 Enlarging the church's wealth by property of crusaders bought at low prices, or mortgaged and not redeemed, or alienated to the church by commendation.<sup>3</sup> 4 Increasing the power of the popes,<sup>4</sup> through the authority assumed by them and unchallenged in this excited period, to 'bind and loose' in civil things as well as in spiritual. 5 Erecting the great Military Orders.<sup>5</sup> Of these, besides several Spanish, less important, there were the Hospitallers, from 1048, the Templars, from 1118, most illustrious of all, and the Teutonic, noted for its agency in the Prussian crusade. Formed to help defend the Holy Land, these Orders subsequently put forth their chief activity in Europe as tireless and dauntless propagandists of ecclesiasticism.

<sup>1</sup> Precisely the reverse of the effect intended. See § 17, n. 2. The formal reunion effected at the Council of Florence in 1438 amounted to nothing. See Gibbon, chaps. lxvi, lxvii.

<sup>2</sup> See § 16, n. 2. A recent writer cites a Spanish paper published at Barcelona even since 1885, which expresses a longing for the 're-establishment of the Holy Tribunal of the Inquisition,' and concludes: 'What a day that will be for us when we see the Masons, Spiritualists, Free-thinkers, and anti-clericals writhe in the flames.'

<sup>3</sup> The precise process described at Ch. VI, § 7. See note 143 in Choiseul-Daillecourt. On the mortgaging, Robertson, Charles V, Int., Hume, England, ch. xi.

<sup>4</sup> Hallam, ch. vii, Milman, vol. iv, 460 sqq. Cf. Ch. V, §§ 15-20. *E.g.*, the pope was allowed now as he would not have been but for the

crusades, to absolve criminals on condition that they should go crusading. This liberty of his became permanent.

<sup>6</sup> Duruy, 318 sqq., Ploetz's Epitome, 217 sq. All the orders had priests and serving brothers as well as knights. *The Hospitallers* or Knights of the Hospital of St. John in Jerusalem were founded by Amalfi merchants. They wore a *black* mantle and a *white* cross. Their headquarters were transferred to Cyprus in 1291, to Rhodes in 1310, to Malta in 1526. The present Knights of Malta, with little but a nominal existence, have their centre at Rome. See Whitworth, H. of the Knights of Malta, 2 v. *The Templars* [Ch. VI, § 19] took their name from Solomon's temple, on whose site in Jerusalem the first seat of the Order was supposed to be. Their signs were a *white* mantle and a *red* cross. They too removed to Cyprus in 1291. To Philip Fair's work in their destruction succeeded the official dissolution of the Order by his instrument, Pope Clement V, in 1312. See Milman, XII, i. *The Teutonic Order* [Milman, vol. vi, 535] began as a German hospital-brotherhood at Jerusalem about 1128, its members being created knights by Frederic of Swabia before Acre, the first seat of the Order, during the third crusade. Their emblems were a *white* mantle and a *black* cross. In 1226 a band of these knights went, under their Grand Master, Hermann of Salza, to Prussen [§ 16, n. 1, Tuttle's Prussia, ch. iv, Weber, I, 757], then held by the heathen Wends, which they reduced to their sway by 1283. The seat of their Grand Master became Venice in 1291, Marienburg in 1309, Königsberg in 1457. Their Prussian lands were secularized in 1525, but the knights who remained catholic kept possession of the Order's lands in the empire, with seat at Mergentheim in Franconia. The Order was dissolved in 1809.

## § 19 POLITICAL

Hallam, ch. iii, pt. i. *Lecky*, Rationalism, ch. v. *Heeren*, 164-242. *Heyd*, *Levantehandel*.

The crusades prolonged by well-nigh four centuries the life of the eastern empire, thereby withholding Italy and perhaps all Europe from Mohammedan conquest and rule. But their influence was more strikingly manifest at home, in undermining and weakening feudalism, to the advantage of: i The Communes, to which the crusades brought new consequence, (1) by necessitating

the sale to them of new privileges by needy lords wishing to go as crusaders, (2) by rendering them, lords being absent, practically independent even beyond this, and (3) by making them rich.<sup>1</sup> Their citizens competed with the church in purchasing property of crusaders, made enormous profits as about the sole purveyors for the crusades. The ascendancy of the great Italian emporiums, Venice, Genoa, Pisa, Amalfi, now begins. Commerce and business are henceforth reputable: Philip Augustus raises burghers to the nobility. A civic replaced the chivalric spirit. The new legal study and intellectual life had seat in towns, which thus became the strongholds of the third estate.<sup>2</sup> ii Monarchy, particularly in France. The strengthening of the third estate had the like effect on monarchy. But besides and directly, the 'truce of God'<sup>3</sup> and the entire religious spirit of the crusades aided the king in abolishing private wars. Roman law greatly widened its sphere by the suspension of feudal courts. A more scientific and efficient military system came in, that of standing armies,<sup>4</sup> in which command fell to the king, while the changed proportions of infantry and cavalry called less for knights, more for that class of soldiers friendly to the king. Many great feudal families were weakened or annihilated. Innumerable benefices escheated to the king or passed by purchase and royal investiture to rich representatives of the third estate, wholly anti-feudal in sentiment.

<sup>1</sup> Blanqui, H. of Pol. Economy, ch. xiv, Choiseul-Daillecourt, sec. 2, 3. See the ordinance of Humbert II, dauphin of Viennois [Robertson, Charles V, Int.], promising new indemnities to the cities and boroughs on his domains in return for monies paid him toward his crusade.

<sup>2</sup> On all this, cf. Ch. VI, §§ 16-20.

<sup>3</sup> The church's solemn inhibition of hostilities in a given locality from Wednesday to Sunday evening each week, also during Advent and Lent and on certain festival days. It was introduced after the great famine of 1028-'30, by the bishops of Aquitaine, as a universal peace, but could not be maintained as such. Du Cange, s. v. '*Treuga*.' It was unknown in Germany and but locally observed in France, Spain [from 1045] and England [from 1080] till the crusades, when, at the Council of Clermont, Urban II made it obligatory generally. There were various other sorts of truces, differing according to the manner in which they were sworn and the obligations they imposed. Choiseul-Daillecourt, n. 98. The truce of God aided the general peace in the same way as Philip Augustus's *quarantaine-le-roy* [Ch. VI, § 17].

<sup>4</sup> Hallam, in pt. ii of ch. ii. Teutonic military history has had three periods, those of (i) the old *Heerbann*, every landholder liable to service in defence of his country, (ii) the feudal militia, each vassal, if summoned, being bound to serve his suzerain in arms 40 days each year at his own cost, and no more except by special contract for special pay, and (iii) hired troops and standing armies. Cf. Robertson, Charles V, Int., ii.

## § 20 THE SAME

*Choiseul-Daillecourt*, sec. 1. *Heeren*, as at last §. *Roscher*, Pol. Economy, I, 220 sqq

In these and other ways the crusades greatly disseminated and intensified the spirit of freedom. The entire development of towns and of the third estate was of course in this direction. Common hardships created among crusaders of different ranks a fraternal feeling. Even serfs on taking the cross became free,<sup>1</sup> the brethren of their fellow-campaigners. This contributed to higher esteem for serfs as a class, resulting in extensive emancipation at home.<sup>2</sup> Louis VII, 1137-80, ascribes to all men a common origin and also a 'certain natural liberty, only to be forfeited through crime.' In 1256, Bologna gave liberty to all within her walls not already possessing it, declaring that 'in a free city none but the

free should dwell.' Florence followed this example in 1288, as, at about the same time, did Philip of Valois, 'in the name of equality and natural liberty.' And Louis X in 1315, 'since, according to the law of nature all ought to be born free,' considering that his kingdom was called the kingdom of the Franks (free), and wishing the reality to accord with the name, ordained that 'to all those who, by origin or antiquity, or newly, by marriage or by residence in places of servile condition, had fallen or might fall into bond of servitude, *franchise be given.*'<sup>8</sup>

<sup>1</sup> Justinian's *Novella* 81 ordained the manumission of all slaves who, masters permitting, had well performed military service. No such law, so far as known, was made by popes in reference to serf-crusaders, their permission to enlist apparently resting on general consent. To serfs on church lands, as church property could be alienated in no ordinary manner, the crusades opened practically the sole door to liberty.

<sup>2</sup> Many communes had charters which guaranteed the franchise of fugitive serfs resident therein unless reclaimed within a certain time. Hosts of serfs became free thus who had left their masters on pretence of crusading. Vagabonds were no longer as heretofore presupposed to be serfs and held to prove the contrary.

<sup>3</sup> The same wave of right sentiment swept over England, where the machinery of representation, long known in local work, now secured application in national affairs. In his writ to the prelates for the first complete English parliament, 1295, Edward I says: 'As the most righteous law, established by the provident circumspection of the sacred princes, exhorts and ordains that *that which touches all should be approved by all*, it is very evident that common dangers must be met by measures concocted in common.' Stubbs, vol. ii, 128. The sentence italicized is from Justinian's Code, title 56, law 5, — a proverb often met with in mediæval writers.

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## CHAPTER VIII

### RENAISSANCE AND REFORMATION

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#### § 1 GENIUS OF THE RENAISSANCE

*Symonds, Age of Despots, i, also last ch. Voigt, Wiederbelebung, Int.*

DURING the fifteenth century a change as subtle and indefinable as it was significant came over the spirit of European society. Without sharp break with the past, involving no strictly new creation,<sup>1</sup> no sudden or unheralded revolution of ideas, gradually rose an altered mode of viewing man, the world, life, far less theological than the old, less respectful to tradition, more confident in man's powers and future, in fine, laic and human.<sup>2</sup> Renewed study of classical antiquity was sign and instrument rather than essence of the new movement. If men looked back, it was mostly to clear their vision to look and walk forward. The new thinking, if marked by temporary unbelief, and more given than the old to human and secular things, was not essentially irreligious, if less scholastic, not less profound. Vaster conceptions of the field of truth were born.<sup>3</sup> It was felt that no problem had been absolutely settled, and that the human faculties, fettered or discouraged or else applied to inane inquiries, had as yet scarcely given a hint of the productive activity possible to them.<sup>4</sup> Hence, fresh, courageous, successful effort to see what man might be, do, know. Modern history, in the narrower

sense, now begins. 'The history of the Renaissance,' says Symonds, 'is the history of the attainment of self-conscious freedom by the human spirit, manifested in the European races.'

<sup>1</sup> Even in art, in painting itself, no absolute beginning was made. Voigt, *Wiederbelebung*, I, 4, 379. The Renaissance grew necessarily out of existing conditions.

<sup>2</sup> Bezold, *Hist. Zeitschr.*, vol. xlix, 194. A similar change followed the advent of Grecian culture in Asia [with Alexander] and at Rome [Voigt, I, 4]. Michelet's neat dictum, adopted by Symonds [Despots, 16] and Burckhardt, makes the Renaissance 'the discovery of the world and of man.' We add: 'and of their close relationship.' Theology had exalted man, but as candidate for another world. Humanism, in the vein of the cultivated Greeks and Romans, was geo-centric, glorying in the earthly-human. 'During the middle ages,' says Symonds, 'man had lived enveloped in a cowl. He had not seen the beauty of the world, or had seen it only to cross himself and turn aside and tell his beads and pray. Like St. Bernard, travelling along the shores of the Lake Leman, and noticing neither the azure of the waters nor the luxuriance of the vines nor the radiance of the mountains with their robe of sun and snow, but bending a thought-burdened face over the neck of his mule, even like this monk, humanity had passed, a careful pilgrim, intent on the terrors of sin, death and judgment, along the highways of the world, and had not known that they were sightworthy or that life is a blessing. Beauty is a snare, pleasure a sin, the world a fleeting show, man fallen and lost, death the only certainty, hell everlasting, heaven hard to win, — these were the fixed ideas of the ascetic, mediæval church. The Renaissance shattered them by rending the thick veil which they had drawn between the mind of man and the outer world, and flashing the light of reality upon the darkened places of his own nature.'

<sup>3</sup> See § 13. St. Bernard, arguing against Abelard and his nominalism, evidently thought it the quintessence of fatuity to pretend to advance a new idea. 'Who are you to make an improvement in thought? Tell us, pray, what that truth is which has made its epiphany to you but to no one before. For my part I hearken to the prophets, the apostles and the gospel, and were an angel to come from heaven to teach us the contrary, anathema upon him!' Identifying, as so many another bigot has done, *the truth* with his own apprehension thereof.

<sup>4</sup> How Petrarch, *e.g.*, felt toward scholasticism, Voigt, I, 71. Michelet, Int. to vol. vii, *passim*, expresses a still worse judgment. He calls 1200 the saddest year in history. See, esp., notes to his §§ iii and iv. The 13th century was the time when the Albigenses and the Waldenses were annihilated for their beliefs, the Inquisition set up and individuality crushed out. After Roger Bacon zeal in light-seeking lessened greatly. Michelet does not believe that writers have sufficiently noted this reaction. Hettner, *e.g.*, takes 1300 as the *terminus a quo* of the Renaissance.

## § 2 ITS ANTECEDENTS

Hallam, Lit., pt. i, ch. i. Burckhardt, III, i. Michelet, Int. Reuter, Relig. Aufklärung im Mittelalter. Voigt, Int.

Memory and love of classical culture, at no time utterly so, were yet during the full middle age, practically dead. Boethius was the last man whom they powerfully affected.<sup>1</sup> The church viewed ancient art and letters as hopelessly bound up with heathenism. Old manuscripts were lost or forgotten, the noblest works of antique art suffered to perish or be lost in rubbish.<sup>2</sup> Heathen temples were defaced or pulled down:<sup>3</sup> the Roman forum, its precious buildings levelled beneath feet of earth, became a cow-pasture. Latin grew corrupt, at last scarcely reminding of its origin. At the same time with this, slavish reverence for ecclesiastical authority was working to prevent all originality, aggression, courage in thinking.<sup>4</sup> The light kindled by Karl the Great and Alcuin shone neither far nor long.<sup>5</sup> The fine intellectual life of the Hohenstaufen period, brilliant rather than strong, was likewise a temporary phenomenon.<sup>6</sup> Study of Roman law, momentous in its way, could not revive the civilization whence that law sprung. Scholasticism in the thirteenth century, with its worship and imperfect<sup>7</sup> understanding of Aristotle, had a still less

favorable tendency. If it created mental strength, discipline and restlessness that were seeds of rich promise, it buried these seeds deep. With all its profound and true thoughts, dogmatism, formalism, narrowness,<sup>8</sup> abstraction were its most obtrusive and influential characteristics.

<sup>1</sup> Not excepting Alcuin [Ch. V, § 5] or even Cassiodorus, Boethius's contemporary. Cassiodorus, about 480-575, and Boethius, about 470-524, were influential in every way, but especially in the history of education, because of their agency in preserving the continuity of classical pædagogics into that of the middle age. Boethius prepared, mainly translating them from the Greek, treatises on Geometry according to Euclid, Music acc. to the Pythagoreans, Arithmetic acc. to Nicomachus, Mechanics acc. to Archimedes, Astronomy acc. to Ptolemy, Grammar and Rhetoric and Dialectics acc. to Aristotle. He called these the seven liberal arts. As such they were made the subject of Cassiodorus's able work, *de septem disciplinis*, much and usefully read in the middle ages. Weber, *Weltgesch.*, 516 sq.

<sup>2</sup> The middle age had next to no love of literature for its own sake. Too much credit has been given the monks for preserving the classics. Benvenuto d' Imola went once to Monte Casino and found there the rarest manuscripts lying helter-skelter in a chamber without lock or key or even doors. Of many the monks had cut out the finest parchment to make breviaries and psalters for sale. If this here, what not at Fulda, Cluny or St. Gall? A complete codex of Quinctilian was at St. Gall literally unearthed from the dirt, a fuller Cicero at Lodi. When in 1816 Niebuhr discovered in the Verona Cathedral library the precious copy of Caius's Institutes, the old text was everywhere bedimmed and in places made irrecoverable forever by being written over with epistles of St. Jerome. Just how or how far classical letters and interest perished in the early middle age no one knows. There are Mss. of some of the great Latin classics dating from every century in what are called the dark ages, and there were always a few who loved to read them. Most, however, were more in Jerome's state of mind, who dreamed that for reading Cicero he was cited to Christ's bar and scourged till he vowed never to con secular books again. '*Mentiris*,' said Christ on Jerome's calling himself a Christian, '*Ciceronianus es, non Christianus, ubi enim thesaurus tuus ibi et cor tuum.*'

<sup>3</sup> Passing from view by sheer carelessness, not unavoidably as in Pompeii. Recovery is not complete even now. See Century Magazine, Feb., 1887. The Pantheon was nearly spoiled by conversion into a church. Pope Urban VIII pulled off the under covering of its portico, the most remarkable metallic work of antiquity, for cannon metal. There were 450,000 lbs. of bronze.

<sup>4</sup> The inquisitors deemed it a sufficient condemnation of Galileo that his views contradicted Aquinas and Aristotle [Ch. III, § 4, n. 4]. Not '*herzustellen*' anything, says Schulze neatly, did the mediæval doctors regard their task, but only '*darzustellen*.'

<sup>5</sup> Einhard, though bright [Ch. V, § 5], was but an imitator — of Suetonius, as were Widukind and Adam of Bremen of Sallust. The classical literature known to these and later mediævals did not inspire them. They did not regret antiquity, as Petrarch did, for example.

<sup>6</sup> See the references at Ch. VII, § 17, n. 7. Bezold declares that under the Hohenstaufen German culture was in advance of Italian. Müntz places Frederic II [Ch. V, § 19] at the head of the precursors of the Renaissance. Michelet assigns this place to Joachim of Flora [§ 15].

<sup>7</sup> Mediæval knowledge of Aristotle was long nearly all at second, third or fourth hand. The Arabians of Spain, Europe's earliest schoolmasters in his philosophy [Ueberweg, H. of Philos., § 96], used Arabic translations of Syriac translations. Even Averroes had only a Hebrew translation of a commentary made on the basis of an Arabic translation of a Syriac translation of the Greek text. Renan, *Averroes et l'averroïsme*, 39. Cf. § 14, 4, and note.

<sup>8</sup> Aquinas, prince of the schoolmen, believed in two kinds of weather, natural, made by God, and artificial, made by wicked men. Riehl. Cf. Weber, I, 730, Duruy, *Moyen Age*, 359 sqq., Cousin, Ess. on the *Philosophie scholastique*. It was very crafty, thinks Michelet, for the church to give men liberty of *formal* thought. To have forbidden all thinking would have dangerously stimulated thinking. Cf. § 11, n. 3.

### § 3 ITS DAWN

*Sismondi*, Lit. of So. Europe, chaps. ii, iii. *Weber*, *Weltgesch.*, I, 89 sqq. *Voigt*, *Wiederbelebung*, I, 89 sqq. *Renan*, *Averroes et l'averroïsme*. *Choiseul-Daillecourt*, *Inf. des Croisades*, sec. 4. *Schulze*, *Philos. d. Renaissance*, I.

The intellectual darkness of Europe in the ninth and tenth centuries first broke in Arabian Spain, whither,

with Mohammedan conquest, had pressed, as we have seen, the old culture of the east Mediterranean lands, taken up and for a time seduously fostered by Islam.<sup>1</sup> Through students from the North thronging their schools, the Arabians, both as free investigators and as editors and expounders of the classics, became the teachers of Europe.<sup>2</sup> A most happy outcome of the crusades was the quickened and enlarged intercourse of western with Greek and Arabian savans. The Greek language now began to be known,<sup>3</sup> Aristotle learned at first hand. Schools and studies flourished everywhere, national literatures had birth. Bologna and Oxford had each its group of students by 1150. The Universities of Paris and Salamanca date from 1200, the former often numbering 15,000 pupils, sometimes more. Many other universities were active before 1300.<sup>4</sup> Intelligence grew more independent as well as broader: the clergy lost their monopoly of learning. Abelard, 1097-1142, Albertus Magnus, 1193-1280, and Roger Bacon, 1214-'94, were worthy prophets<sup>5</sup> of the Renaissance, unless indeed we date the Renaissance itself from their days. The first dared to break with the traditional, dogmatic realism and to assert the rights of reason. The others preached and introduced inductive, *aposteriori* scientific procedure in a spirit worthy of Stuart Mill. Among his three sources of knowledge, above authority and reasoning, Roger Bacon places *experience*, as the term of all speculation and as the queen of the sciences, 'alone able to certify and crown their results.'

<sup>1</sup> Ch. VII, §§ 8, 17. Renan is of opinion that the deepest spirit of Islam was after all not friendly to Aristotle or to philosophy proper by whomsoever taught. Christian teachers too dreaded the Stagirite at first.

Dinanto's work, 1209, the earliest visibly to employ A.'s principles in doctrinal construction, was condemned, as were the physical and metaphysical writings of the philosopher himself. In 1231 the Univ. of Paris forbids reading on these subjects till further orders, in 1251 it permits a limited number of lectures on them, a hundred years later it proclaims Aristotle Christ's forerunner in natural things as John Baptist in spiritual. In thus dispelling the fear of Aristotle and of philosophy Aquinas was the most influential. His *summa* or text-book, instead of being a *summa theologia* as such had usually been named, was a *summa philosophica de veritate catholica*. Schulze.

<sup>2</sup> So in *De Monarchia* Dante refers familiarly as well as favorably to Averroes [= Ibn Raschid: about 1120-'98, i.e., nearly covering the 12th century].

<sup>3</sup> For centuries Greek was almost unknown in the West. In Sicily and Calabria, e.g., in the cloisters of St. Basil at Rossano, hellenic studies were never laid aside, at least till late in the 13th century. Paulus Diaconus at Karl Great's court, Scotus Erigena [d. 880] and Roger Bacon could read Greek, but neither Gerbert, Abelard, John of Salisbury [1110-'80], the most learned man of his time, nor Aquinas, the doctor angelicus. After Karl Great Greek apparently ceased to be in the West a regular branch of learning, and was known only to a few clergymen and grammarians, more in Ireland than elsewhere. Nor is any writer till Richard de Bury, about 1350, known to have expressed regret at ignorance of this tongue. Till a late period but two of Aristotle's treatises were known to northern scholars [Ch. VI, § 8]. Abelard had no others, though Gilbertus Porretanus [d. 1154] knew both the Analytics, and John of Salisbury the whole Organon. The Arabians gave to Europe [1250-1300] A.'s physical and metaphysical books, all in their wretched, circuitous translations [§ 2, n. 7]. First not far from 1220 Robert Grosst  te, 1175-1255, bp. of Lincoln, caused a translation of A. to be made directly from the Greek. Plato, till the very morning of the Renaissance, was less known still, represented only by the Timeus in an incomplete translation, and ignored by ecclesiastical writers. As to Homer, Dante cites him, but like Homer's seven friends in Italy whom Petrarch counted up, must have read him in translation alone. Dante praises Hebrew likewise, of course without understanding it. See on all this, Hallam, Lit., pt. i, ch. ii.

<sup>4</sup> For the universities of Italy, Tiraboschi, V, iii. The most ancient and illustrious besides that of Paris were Montpellier and Orleans in France, Oxford and Cambridge in England, Bologna [often with 10,000 students], Naples, Padua and Rome in Italy, Salamanca in Spain, and

Coimbra in Portugal, all founded before 1300. The oldest in the German empire [Janssen, vol. i] was Prague, 1348, then Heidelberg in 1386, Cologne 1388 and Erfurt 1392 [both now extinct], Würzburg 1403, Leipzig 1409, Rostock 1419, Louvain 1436, Greifswald 1454, Freiburg in Breisgau 1456, Basel 1460, Ingolstadt [now Munich] 1472, Tübingen 1477, Wittenberg [now Halle] 1502, Frankfurt on the Oder [now Breslau], 1506, Marburg 1527, Strassburg 1538.

<sup>6</sup> On these men, see Whewell, *H. of Ind. Sciences*, bk. xii, ch. vii, Milman, vol. viii, 257 sqq., Michelet, *Int.*, Schulze, I, Weber, I, 806 sqq. Porphyry's *Isagoge* to Aristotle's *Categories* [called the *quinque voces*], the chief philosophical text-book of the middle age, had already set forth the conflict between Plato and Aristotle upon the nature of universals or general ideas. Both regarded universals as *realia* [Realism], only to Plato they were *ante rem*, transcendent, separable from things, while Aristotle viewed them as only *in re*, the types and immanent forces of things. Abelard sided with Aristotle but stopped short of the extreme Nominalism of Roscellinus. See Ueberweg, *H. of Philos.*, §§ 90-94. Duns Scotus and Wm. of Ockham however recurred to the 12th century Nominalists, Roscellinus, Eric of Auxerre and Raimbert of Lille, making universals to be not *realia* either *ante rem* or *in re*, but only *nomina*, and hence of course *post rem*.

#### § 4 DANTE, PETRARCH, BOCCACCIO<sup>1</sup>

*Symonds*, *Revival of Learning*, i, ii. *Gibbon*, lxx. *Milman*, vol. viii, 338 sqq. *Tiraboschi*, vol. vi, ch. ii. *Geiger*, I, i-iii. *Hettner*, 'Petrarch u. Boccaccio,' *Deutsche Rundschau*, vol. ii, 1875. *Sismondi*, *Lit. of So. Europe*, chaps. ix, x, xi. *Burckhardt*, III, ii, iv, IV, iv. *Voigt*, bk. i.

These three men may with much greater propriety be regarded as heralds of the brighter time. All received much inspiration from classical letters, which they knew and used well enough to propagate their enthusiasm therefor as a rich legacy to the men of the full Renaissance. To Boccaccio especially was due new interest in Greek.<sup>2</sup> His style became a model in prose as did Petrarch's in poetry and prose both. Dante had already given fixity to Italian,<sup>3</sup> which was thus the earliest among modern languages to assume a national

character. But Dante's greatness is far more than literary. He is philosopher, divine, historian, publicist. His immortal poem, the Divine Comedy,<sup>4</sup> in style as unique as in contents it is often difficult, sets forth the entire body of mediæval ideas, on theology, philosophy, natural science, astronomy, history, politics, antiquity. Heaven, hell and purgatory as well as earth are here ransacked, and the simplest of the matters brought to view, made to reveal deep meanings. Here not less than in the poet's *De Monarchia* we have his political creed. As Beatrice, personification of purity and love, thus representing a spiritual church, guides through paradise, so Vergil, panegyrist of strong earthly empire and emphasizing the deserts of such as oppose this, is made to conduct through hell.<sup>5</sup> Yet Dante does not thrust forward political or any philosophy, or theology even, to the lessening of poetic power. In fact literature can boast not more than two poems comparable with the Divine Comedy.<sup>6</sup>

<sup>1</sup> Dante lived fr. 1263-1321, Petrarch 1304-'74, Boccaccio 1313-'75.

<sup>2</sup> He tells us in his Genealogy of the Gods how he toiled to get Leonzio Pilato to settle at Florence, kept him for years in his own house, managed to procure classical manuscripts from Greece to read with him and at last saw a Greek professorship established for him in the Tuscan capital. Pilato [§ 5, n. 3] was a failure and remained but three years. Boccaccio and Petrarch seem to have been his only pupils and they did little. Petrarch kissed his Homer but could not read it. With so incompetent a teacher their zeal cooled instead of spreading. Not Italians but northerners, like Agricola, Reuchlin, Erasmus, Budæus and the Stephani, were the mighty hellenists of the Renaissance. Burckhardt, vol. ii, 272 sq. Ariosto knew no Greek and had to ask Bembo to name him a good Greek tutor for his son.

<sup>3</sup> What Ennius did for the Latin and Luther with his Bible for the High German Dante accomplished for Italian. Of the many dialects

existing before, he fixed the Florentine as the Italian of letters. This momentous result was accidental. He meant, and actually begun, to write his poem in Latin, starting off in Vergilian style and measure: '*Ultima regna cano*,' etc. Bembo regretted that he did not persevere.

<sup>4</sup> The Divine Comedy,

'This poem of the earth and air,  
This mediæval miracle of song' (Longfellow),

although taking little hold of Italy on first appearing [Michelet, 78, 165] quickly assumed a headship in literature, which it still maintains. Boccaccio wrote a commentary on it, so early, and even his was not the earliest, but Grazio di Bologna's. 'The reading of Dante,' wrote Mr. Gladstone, Dec. 20, 1882, 'is not only a pleasure, an effort, a lesson; it is a strong discipline of the heart, the intellect, the man. In the school of Dante I have learned a very great part of that mental provision, small as it may be, with which I have made the journey of human life until nearly 73 years old. He who serves Dante serves Italy, Christianity and the world.' Yet all Dante's philosophy and theology are mediæval. Vergil, whom he continually styles 'our divine poet,' cannot guide in Paradise, he says, 'since he who has never known the law of the Lord cannot attain the seats of the blessed.' Avicenna and Averroes, with Horace, Lucan, and it would seem nearly all the famous heathen, not having been baptized, he leaves in limbo. Also, as de Rossi points out, neither Dante nor Petrarch cares aught for the *art* of antiquity.

<sup>5</sup> Inferno [canto xxxiv] has both Brutus and Cassius in hell. It puts no emperor there save Frederic II [canto x]. Dante lies buried at Ravenna, but Santa Croce in his native Florence holds a memorial tablet to him.

<sup>6</sup> The Iliad and the Paradise Lost.

## § 5 FLORENCE

*Symonds*, Rev. of Learning, iv, v, vi. *Gibbon*, lxi. *Caffoni*, *Storia della rep. di Firenze*. *Roscoe*, Lorenzo dei Medici, 2 v. *Reumont*, do. *Villari*, *Savonarola* and his Times, 2 v. *Geiger*, I, vi, x.

The fifteenth century took up the spirit of the fourteenth, extending and intensifying it. Florence became intellectually what she already was politically, a second Athens.<sup>1</sup> By 1400 some ten thousand Florentine chil-

dren could read, nearly six hundred were studying logic and Latin.<sup>2</sup> Boccaccio's influence had drawn Leonzio Pilato thither from Venice and created for him the first Italian professorship of Greek.<sup>3</sup> Other Greek teachers came. Greek manuscripts were imported, learned Byzantines visited Florence, young Florentines went to study at Constantinople. The Medici<sup>4</sup> were not less zealous in aid of learning and culture than in business and their conduct of the state. With Poggio, who took the lead, vied Niccoli,<sup>5</sup> Bruni, Traversari, Ficino, Valla and Poliziano in the discovery, interpretation and publication of ancient writings. The neglected treasures of Monte Casino, Cluny, St. Gall, Fulda were brought to the light.<sup>6</sup> Ancient philosophy was studied without theological prejudice and from the sources: how successfully, Raphael's School of Athens, later, shows.<sup>7</sup> Platonic Academies essayed to reconstruct Christian doctrine for the new age.<sup>8</sup> From Florence this Renaissance-spirit spread through Italy. At the courts of Naples and the Lombard tyrants as well as in the great republican centres, Siena, Venice, Genoa, men pored over the immortal classics, striving through reconstruction of the great past to create for themselves a more worthy present. By Poggio and his circle, by popes like Nicholas V,<sup>9</sup> Julius II and Leo X, the Holy See itself was brought under the same all-dominating influence. From Italy it passed to the rest of Europe, even Hungary and Poland. The power of mediæval traditions and views of life, of mediæval ecclesiasticism, was broken forever.

<sup>1</sup> A favorite thought with Poliziano and Poggio: 'Athens not dead but transferred to Florence.'—Voigt, I, 372, II, 107. Cf. Hettner, *as at* § 4,

p. 241. Only, as Grimm says, Athens had ten great men to Florence's one. Florence was the very poorest of the large Italian cities in antique monuments and ruins. In classical times it was an insignificant place. Symonds likens Venice to Sparta, as Florence to Athens.

<sup>2</sup> The figures are from Villani.

<sup>3</sup> Cf. § 4, n. 1. Greek was the great innovation now, the Latin classics having never been quite unknown at the Italian capitals. Pilato, not a native Hellene, any more than Barlaamo [Voigt, II, 108 sqq.], had small Greek and no good Latin. He derived 'Αχλληύς from alpha privative and χηλός, = 'the fodderless'! His translation of Homer was verbatim, full of errors and nearly useless [§ 4, n. 1].

<sup>4</sup> Voigt, I, 295 sqq.

<sup>5</sup> Voigt, I, 237 sqq., 406. On costliness of books at this time, *ibid.*, 404 sq. Poggio was the first humanist to get and keep favor at the papal court, Niccoli to conceive the thought of a public library.

<sup>6</sup> See § 2, n. 2. The revival of learning passed through the periods of i) passionate imitation of antiquity, represented by Petrarch and Boccaccio, ii) acquisition, libraries, gathering old Mss., regardless of their worth, and iii) scholarship, sifting, editing, wherein Poliziano, Ficino, Erasmus and such were so useful. Symonds, *Despots*, 24.

<sup>7</sup> This great painting tells the entire story of Greek philosophy. The artists of the Renaissance understood old history and literature better than many moderns. Thus Michel Angelo's statue of David is the best commentary extant on the O. T. idea of David as a youth, — not a weakling, but a giant.

<sup>8</sup> Bezold, *Hist. Zeitschrift*, vol. xlix, 2d art. It was new Platonism rather than old. The *Greculi esurientes* as they were called, i.e., Pilato and those of his kind who subsequently fled westward from the face of the conquering Turk, are not to be credited with bringing Plato to Italy. Most of them did not even know Plato. Petrarch already had 16 Platonic writings, of which Bruni translated several. Cosmo dei Medici formed his Academy and trained Ficino on purpose to get Plato and Plotinus known in and from their own speech. On the revival of Platonism, Whewell, *H. of Ind. Sciences*, bk. xii, ch. viii.

<sup>9</sup> On this excellent pope, see Creighton, IV, iv, Voigt, *Wiederbel.*, bk. v, Gibbon, as above, Milman, vol. viii, 121 sqq. He founded the Vatican Library, 1453. For the others, Symonds, *Despots*, 315 sqq.

## § 6 DARK SIDE OF THE RENAISSANCE

*Symonds, Rev. of Learning, v-viii. Voigt, Wiederbelebung, II, 15 sqq.*

Naturally enough the rage for classical things sometimes exceeded bounds.<sup>1</sup> Bembo, the favorite cardinal of Leo X, the same who used to swear 'by the immortal gods,' abhorred sermons and the Pauline letters, their matter and style were so bad. He believed that nothing new could be created in literature, that writers must simply imitate Cicero and Petrarch. Bembo's famous epitaph<sup>2</sup> to Raphael might for perfect latinity and exquisite beauty have come from Vergil, for pantheistic sentiment, from Lucretius. Cardinal Bessarion comforted certain orphans by assuring them that their father 'had gone to the place of the pure, to dance the mystic Iacchos with the gods of Olympus.' Carraro, protonotary of Pope Eugene IV, adapted passages of Horace to the purpose of Christian worship.<sup>3</sup> An oration before the University of Ingoldstadt, 1502, calls Plato second Moses, physician of the soul, the inspirer of all highest moral striving, and ranges Zoroaster, Linus, Orpheus, Empedocles, Parmenides and other heathen celebrities on a level with Moses, David and the prophets. Conservatives were led to denounce Plato, Averroes and Alexander of Aphrodisia<sup>4</sup> as the three pests of Italy. Some humanists in high places not only forgot but transgressed Christian law. Popes lived like Nero and cursed by Jupiter and Venus. In inner rooms of the Lateran, papal secretaries who had spent the day in deciphering inscriptions or glossing manuscripts, devoted nights to carousing and plays of filthy wit, touching pope, church and the most sacred,

as well as all manner of worldly things. They named their club the '*bugiale*,' or 'smithy of lies.' Such was the midnight pastime of that apostolic circle from whose pens solemn bulls and breves would next morning issue.<sup>5</sup>

<sup>1</sup> Pedants delighted in addressing municipal counsellors as *patres conscripti*, calling every saint a *divus* or a *deus*, nuns *virgines vestales*, cardinals *senatores*, their dean *princeps senatus*, excommunications *dirae*, the carnival *Lupercalia*, etc. The soldiers of the French army in 1512 were said to be *omnibus diris ad infernos devocati*.—Burckhardt, I, 353. Petrarch set more by his Latin poetry than by his sonnets and canzoni, and Ariosto was urged by some to write in Latin. Bembo evidently thought Latin destined to be to all time the sole language of literary converse.

<sup>2</sup> Over Raphael's tomb in the Pantheon. It reads:

*Ille hic est Raphael timuit quo sospite vinci  
Rerum magna parens et moriente mori.*

<sup>3</sup> He availed himself among others of Ode xii, Book I, turning *gentis humanæ pater atque custos*, into *gentis humanæ pater et redemptor*. 'On his death-bed Cosmo de Medici is attended by Ficino, who assures him of another life on the authority of Socrates, and teaches resignation in the words of Plato, Zenocrates and other Athenian sages.' Milman. Pletho, during the Council of Florence, 1438-'42, avowed to George of Trebizond his conviction that men were upon the point of renouncing both gospel and Koran for some form of heathen religion.

<sup>4</sup> One of the most famous of the commentators on Aristotle, his views of his master, however, tinged with New-Platonism.

<sup>5</sup> Poggio relates it all himself, and he was the ring-leader. Voigt, II, 15 sqq. It was the age of flippancy in both speech and writing. 'Burlesque' is from the name of a Florentine barber, Domenico Burchiello [d. 1448], who composed funnily satirical sonnets.

## § 7 RENAISSANCE LITERATURE

Symonds, IV, V, Italian Literature. Weber, II, 140 sqq. 'Machiavelli and his Times,' Westm. Rev., Jan., 1879. Sismondi, Lit. of So. Europe, chaps. xii-xv.

The Italian literature of the Renaissance proper, rich as it is in quantity and variety, is not in quality what

the prodigious intellectual life of the time and the inspiration awakened by so large acquaintance with the classics would lead us to expect. Only a few of its products can criticism declare great. Among these Guicciardini's History of Italy<sup>1</sup> may perhaps be placed, and certainly Machiavelli's writings, whatever opinion we may have of their ethics. The meaning of his 'Prince,' is not that such a ruler is intrinsically desirable, but, in the then condition of Italy, necessary to solid national government, a judgment apparently true, assuredly sad. The names of Boiardo, Ariosto and Tasso<sup>2</sup> have passed into the literary history of the world. The *Orlando Inamorato* and the *Orlando Furioso* re-work, only in a far richer way than had yet been done, the old sagas touching Karl the Great's famous Paladin, Roland. The former poem is the more serious and moral, the latter the more flippant, imaginative and finely expressed. Tasso with his *Jerusalem Delivered*, in which the first crusade is handled as the Trojan war is by Homer and Vergil, falls far behind Ariosto, whom he strove to excel. The small bulk of Italy's truly worthy literature in this period is due to a moral lack. It was Epicurean, not Stoic, antiquity which the Italian humanists raised from the dead. Authors were chiefly courtiers, and of a most sycophantic type. Ariosto glorifies Lucrezia Borgia;<sup>3</sup> Machiavelli, Cæsar. Tasso, twice insulted and imprisoned by his patron, the Duke of Ferrara, whines to be restored to favor. Not strange that the seer to divine and declare the real significance of the Renaissance movement, was no Renaissance poet or literator but an artist.<sup>4</sup> In the *Stanza della segnatura* of the Vatican, in his magnificent paint-

ings, the 'Dispute,' 'Parnassus,' 'School of Athens' and 'Delivery of the Laws,' Raphael voiced the most characteristic message of the Renaissance to man, that Revelation, Philosophy, Culture and Law, Church and State, each divine in its way, are ordained of God to exist together in harmony.<sup>5</sup>

<sup>1</sup> Translated, in 10 v. Cf. Symonds, *Despots*, iv. For Machiavelli, *ibid.*, iv, v, and Sismondi, ch. xv. Cf. Bohn's tr., or Detmold's ed. of M.'s historical, pol. and diplomatic works, Boston, 1882. Machiavelli says that it is not necessary a prince should be merciful, loyal, humane, religious, just, that if he had all these qualities and always displayed them they would harm him. But he must seem to have them, especially if he be new in his principality. It will be as useful to him to keep the path of rectitude when this is not inconvenient as to know how to deviate from it when circumstances dictate. A prudent prince cannot and ought not to keep his word except when he can do it without injury to himself. Prince, ch. xviii. The devil's appellation of Old Nick he is said to have gotten from Machiavelli [Nicholas], in view of sentiments like the above. For the basis of our interpretation, see Prince, ch. xxvi.

<sup>2</sup> On these three writers, Tiraboschi, XII, iii, Hallam, *Lit. of Europe*, pt. ii, chaps. v, vii, Symonds, vol. v, chaps. i, ix, Sismondi, as above. Ariosto's perfection is limpidity of style, the result of toil. He spent ten years in writing his poem and sixteen in polishing. The autograph copy at Ferrara shows page after page of alterations [Symonds]. He is always equal to his best. Yet both he and Boiardo have some obscurities, and some passages against church and clergy, which house-chaplains in pious families used to paste over, — to make the children, Weber says, more anxious to read them. The *Inamorato* and the *Furioso* are parts of the same story, — a very old story already [on the Roland-cycle, Weber, §§ 421, 428, 429]. Roland, whom previous writers had set forth as passionless and above frailty, Boiardo makes fall in love with Angelica, an infidel coquette come from Asia to sow discord among Christians; Ariosto goes on to represent the fair one as deserting Roland for Medoro, a young squire, and Roland crazed with jealousy thereat. Symonds's chaps. vii and viii in *Catholic Reaction* relate to Tasso.

<sup>3</sup> Calling her 'a second Lucrece, brighter for her virtues than the star of regal Rome.' Gregorovius, *Lucrezia Borgia*, apologizes for this famous woman with some show of success, exhibiting her as weak rather than bad.

Grimm, however, M. Angelo, I, 171, thinks G.'s effort fatuous. The Borgia name and family were Spanish [Borja]. Caesar is openly the hero of Machiavelli's Prince. Petrarch showed little moral strength, — archdeacon in the church and ceaselessly excoriating the clergy for vices, yet himself not always chaste, devoting over 300 sonnets and the best 20 years of his life to moping over an unrequited love. '*Ed io son un di quei che il pianger giova*,' he wrote. Boccaccio was at a still lower level, vulgar and sensual.

<sup>4</sup> Hettner. The Dispute exalts theology, as the School of Athens does philosophy, the Parnassus music, poetry and all culture, and the Delivery of the Laws [civil and canon], justice. In the room the Dispute and the School of Athens face each other. So do the remaining two, culture and justice. 'Room of Signature' because here the pope signed solemn official papers.

<sup>6</sup> Yet Pinturicchio and Perugino thought it no shame to work for princes like the Baglioni and popes like Alexander VI [§ 14]. Da Vinci was engineer for Caesar Borgia, musician and painter to the corrupt Milanese court under the Sforzas; and that gentle spirit, Alberti, devoted his architectural genius to the beautifying of Malatesta's palace at Rimini.

## § 8 ART

*Reber, Mediæval Art* [Harper, 1887]. *Scott, Renaissance of Art.*  
*Symonds, Fine Arts*, i.

Renaissance art varies from that which it supplanted, by its infinitely greater beauty, exuberance, variety and naturalness. Traditional subjects and the old stiff modes of treatment no longer give law. Motion enters the domain of art-representation. The beauty of saints and angels is made to heighten the expression of their holiness. Artists no longer neglect or degrade the human body as a mere unworthy tenement of the spirit, but study and delineate it as noble in itself. Graceful postures and movements, and lovely landscapes are introduced. The world and man assume a strange air of joyousness. In fine, art casts quite aside its old ascetic

and pessimistic spirit. Artists now astonish not only by their numbers, but also by both their range and their profundity of genius. Giotto, Angelo and Raphael<sup>1</sup> were each masters of the three great arts, Angelo poet and engineer besides. Da Vinci's genius was more universal still. In point here is the fact that painting, totally lacking that classical stimulus so helpful to architecture and sculpture, was now the field of the most copious production. But in all art, besides new cycles of sacred subjects, mythical, classical and profane-historical ones are introduced, the old themes handled in a free way, subjected to limitless variations. Draperies are composed, actions and expressions suited to subjects and to moments. Apostles, prophets, saints are now portrayed as actual human beings, Madonna and child, with Joseph and the little John, image real domestic experience. The sacred blends with the natural, heaven comes down to earth. In these ways the love of beauty and the interests of our present life are brought to mingle with the devotion inspired by the art, which thus acts to deliver from narrow and distorted religiousness. Much of the new architecture and sculpture, especially Angelo's, was characterized by a strength and grandeur never before attained.

<sup>1</sup> Pater's book has a chapter on his poetry, also one on da Vinci. The latter was a universal genius, equally great in arts and sciences, in painting, sculpture, poetry, music, botany, anatomy, mathematics, mechanics, and engineering. 'The discoveries which made Galileo, Kepler, Maestlin Maurolycus, Castelli and other names equally illustrious, the system of Copernicus, the very theories of recent geologists, are anticipated by da Vinci.'—Hallam. He depicts horses as natural as Rubens's, far more lifelike and modern than those of Raphael, who follows the antique. Giotto, like Lysippus of old, was a goldsmith before he became a sculptor,

and Lorenzo Ghiberti worked in the precious metals at the bench of his step-father, Bartoluccio, ere he carried off the prize for the paradise-doors of San Giovanni from geniuses of the dignity of Brunelleschi and Donatello. Raphael modelled little, but perfectly, as the Jonah of the Chigi Chapel in S. Maria del Popolo, which Gsellfels thinks he chiselled as well. He designed the Chapel itself, with several other buildings, and was head-architect to St. Peter's between Bramante and Angelo. He was least at home in architecture. See Müntz's Raphael. Müntz is director of the *Bibliothèque internationale de l'art*, which contains the best books extant on the origins of art, as well as much else on mediæval culture. See at end of his *Precursors*.

## § 9 ARCHITECTURE AND SCULPTURE

*Milman*, XIV, viii, ix. *Fergusson*, *Modern Architecture*. *Symonds*, *Fine Arts*, ii-viii. *Michelet*, *Int.*, § x and note. *Weber*, II, 27 sqq. 'Architecture,' in *Encyc. Brit.*

Architecture was the first art to defy tradition, an effect partly accounted for in that: 1 Innovations in it were little liable to the charge of heterodoxy. 2 To the large number of ancient buildings already known in Italy, new were now added by excavations, and all rendered more influential by study. 3 No architectural style had here become strict law. The Byzantine prevailed in South Italy, the Gothic only in the North, neither in Rome,<sup>1</sup> where a Romanesque fashion had unconsciously continued. The Baptistry in Florence, finished by 1300, gives fore-gleams of the Renaissance, especially in its 'paradise-doors.' The Cathedral there, with its immense horizontal spaces, strives away from the Gothic,<sup>2</sup> which Giotto's tower retains only in its ornament. Renaissance architecture proper owes the most to Brunelleschi's initiative, who boldly introduced vaulting<sup>3</sup> in the Florence Cathedral, and gave the flat basilica<sup>4</sup> ceiling to the nave of San Lorenzo. The laws

of Vitruvius<sup>5</sup> were now generally introduced, palaces completely romanized, churches brought back more to that pattern which, save transept and dome or tower, had been borrowed from the Roman basilica and is still dominant in the churches of Western Christendom. Of this new mode of building, the centre was Rome, where Bramante<sup>6</sup> begun, Angelo completed, its most splendid representative, St. Peter's. Contemporaneously with Angelo wrought Palladio, mainly in Venice, Verona and Genoa, famous still for palaces wherewith his skill adorned them. In sculpture as well as in architecture, Michel Angelo is the greatest name, his David, Moses and Night equalling, if they do not surpass, the most splendid of antique statues.

<sup>1</sup> The Gothic came from France to Italy. Santa Maria sopra Minerva, begun in 1280, is the only Gothic church in Rome, and what critics regard the purest Gothic exists nowhere in Italy. The home of this species of architecture was north of the Alps.

<sup>2</sup> Whose peculiarity is vertical lines and an upward tendency, toward heaven: this taking effect not in the points, turrets and acute arches alone, but every wise. Michelet is no friend of the Gothic, thinking it unscientific, cheap, ever needing repairs. — Int., § x.

<sup>3</sup> This and arching constituting the main features of the Romanesque. On the competition between Brunelleschi and Ghiberti, first about the Baptistery-doors, then upon finishing the Cathedral, Grimm, M. Angelo, I, 6, Michelet, Int., § x. Michel Angelo, being asked where he wished to be buried, replied, 'Where I can eternally contemplate the work of Brunelleschi.' Michelet adores Brunelleschi and deems this dome of his finer than Angelo's on St. Peter's. Wren outdid both in his dome of St. Paul's, London.

<sup>4</sup> The basilica was the Roman court-house. It was oblong, with nave [*testudo*] and aisles, nave being separated from aisles by rows, sometimes double rows, of pillars. These justice-halls naturally served as models for churches and imparted to these their name. The tribunal or judge's place, opposite the door, became the apse, holding the bishop's throne, separated from the nave by the fence of open work, which retained its old name,

*cancelli*. The altar of Apollo just behind the cancelli gave way to the communion table. See 'Church,' in Smith's Dic. of Christian Antiqq.

<sup>5</sup> A military engineer of the time of Augustus. He left a work on Architecture, mostly from Greek sources.

<sup>6</sup> Tiraboschi, IX, vii.

## § 10 PAINTING

*Milman*, XIV, ix. *Grimm*, M. Angelo, ch. xii. *Symonds*, Cath. Reaction, ch. xiii.

The new Italian painting soared highest, unquestionably outdoing the Greek. Cimabue,<sup>1</sup> who astonished the world by painting a Madonna as a real and beautiful woman, led in point of time, his pupil Giotto, Ruskin's idol, coming next. Massaccio,<sup>2</sup> another mighty pre-Raphaelite, advanced not a little upon his predecessors in mastery of light, shade, color and drapery. He made subjects live, breathe, speak. For delineating spiritual beauty Fra Angelico is unequalled. Michel Angelo's great paintings<sup>3</sup> in the Sistine Chapel of the Vatican, awful in conception, miracles of execution, are among the chief glories of art creation. But Raphael is the foremost painter of all the ages, his Sistine Madonna standing in unapproachable excellence upon the topmost pinnacle of art. He is as prolific as he is consummate, yet in neither respect so wonderful as in his restless effort toward an ever-advancing ideal. Tizian, Paolo Veronese, Lionardo da Vinci and Coreggio, contemporary with the two preceding, were artists, any one of whom would have appeared a miracle to a less brilliant age. If the seventeenth century betrays some decline in strength, originality and morality, Guido Reni and Carlo Dolci at least keep on high the sense of beauty, Dolci's Corsini Madonna being in this quite without a rival.

<sup>1</sup> Cimabue 1240-1302, Giotto 1276-1337, Massaccio 1401-'28, da Vinci 1452-1519, Fra Angelico 1474-1563, Michel Angelo 1475-1564, Tizian 1477-1576, Raphael 1483-1520, Correggio 1494-1534, Paul of Verona 1528-'88, Guido Reni 1575-1642, Carlo Dolci 1616-'86.

<sup>2</sup> To both Massaccio in his frescoes in the Carmine, Florence, and Cimabue in his so human Madonna of S. Maria Novella, the problem is to represent saintliness without giving to the figure the cold and stiff appearance characteristic of the Byzantine style. Each solves it, but M. much better than C.

<sup>3</sup> 'Michel, *piu che mortale, angel divino*' [Ariosto], said he was no painter and painted under protest. His painting is not confined to the Sistine Chapel. He has a Conversion of Paul and a Crucifixion of Peter in the Paolina Chapel of the Vatican. He also painted the Madonna under the Cross for Vittoria Colonna, and, in his early years, — his only easel picture, — the Holy Family in the Tribuna of the Uffizi, Florence. The Last Judgment, Sistine Chapel, is his most lauded work with the brush. Ruskin says that, other things equal, it requires higher art to paint a large than a small picture.

## § II THE RENAISSANCE EUROPEAN

*Symonds*, Despots, i. *Hallam*, Lit., pt. i, ch. ii. *Voigt*, *Wiederbelebung*, Int. *Tiraboschi*, V, iii, VII, iv. *Ruge* [in Oncken], *Zeitalter d. Entdeckungen*. *Prowse*, *Nicolaus Copernicus*.

Not surprising that Italy saw the dawn of the new age and, in some respects, its fullest day. Italy was the chief heir of the classical world,<sup>1</sup> the chief centre of mediæval civilization. It was also the earliest land to acquire wealth, that indispensable prerequisite to leisure for thought and study. Here too feudalism was feeble,<sup>2</sup> liberty first had birth. Here almost alone in the middle age was liberty enjoyed. Lastly the whole mediæval history of Italy, so stormy and changeful, was calculated to nurse individuality, inventiveness, daring. It thus became possible for Italy to bear the brunt of the Renaissance struggle, doing in this a work without

which no subsequent progress could have been made. Yet the Renaissance was not confined to Italy. It was European. All Western humanity now started up to put away childish things. Thought, renouncing prescription and mere formal work,<sup>3</sup> was set free for effort in a hundred new directions. The telescope, already known to the Arabs, Roger Bacon described to Europe in 1250. The compass was brought to light in 1302, linen paper and gunpowder about 1320. Printing triumphs in 1438, and in less than a century Vergil, Homer, Aristotle and Plato appear in noble editions. America is discovered in 1492, the Cape rounded in 1497. Copernicus<sup>4</sup> re-thinks the solar system in 1507, proves the revolution of the earth in 1530. Savonarola closes the fifteenth century, Luther opens the sixteenth, which, going out, leaves behind Boehme, Bacon, Grotius, Hobbes and Descartes.<sup>5</sup> In this same period feudalism gave way and absolute monarchy rose in France, Spain, England, Austria and Turkey.<sup>6</sup> Equally mistaken is it to derive the Renaissance causally from any external event, as the fall of Constantinople and the consequent hegira of Greek scholars<sup>7</sup> to Italy, although several of the above-named effects unquestionably became causes in time. Thus, printing incalculably spread and stimulated intelligence, and the influence of Columbus and Copernicus reached philosophy and theology. God and his universe were seen to be greater than men had dreamed. The time-honored, ever-ready explanations of things no longer sufficed. Far-reaching questions pressed for answer. One could ask whether man, whether this world, were really the centre of the divine plan.

<sup>1</sup> Voigt notices that Italy not only bridged the way from classical to ecclesiastical Rome, but also led in the reverse movement from ecclesiasticism to antiquity. In Italy paganism in fact never died.

<sup>2</sup> Ch. VI, § 14.

<sup>3</sup> *Formal* work, the mind exerting its powers on premises already given by revelation, merely deducing and unfolding the contents thereof [formal logic], instead of discovering actually new truth [real logic]. Mental hunger began after the truth itself, cognition of realities objectively and *in se*, as distinct from mere subjective and external apprehension. Cf. § 13.

<sup>4</sup> Vernacular name *Koppernigk*. He was a Pole, born at Thorn, in Prussia, 1473, and died in 1543. His work did not appear till 1543.

<sup>5</sup> On these philosophers we must refer to Ueberweg and the other Histories of Philosophy. Symonds's ch. ix, in *Catholic Reaction*, is on Giordano Bruno. He lived 1550-1600.

<sup>6</sup> For the significance of this, Ch. IV, § 16. Merging the state in the king and the church in the pope ushered in the last age of feudalism, and formed the prelude to that drama of liberty wherein Renaissance was the first act, Reformation the second and Revolution the third, and which we nations of the present are still evolving in establishing the democratic idea. — Symonds, *Despots*, 9.

<sup>7</sup> Their advent of course had its effect, but it was relatively slight. The Greek comers were mainly unlearned men. The state of Greek letters at Constantinople, 1400-1500, is even now very imperfectly known. Greek was certainly cultivated there, and old Greek manuscripts were as plentiful there as old Latin ones in and near Rome. Classical Greek had not become a dead language. The stability of the court and of schools aided literature. Monks, clergy, schoolmasters and isolated savans preserved precious old writings, as in the West. Xenophon, Strabo, Plutarch and Arrian were continually copied and read. Chrysolaras, George of Trebizond, Theodore of Gaza, Bessarion and Laskaris were critical scholars and had some peers, but not many. — Voigt, II, 102 sqq.

## § 12 THE RENAISSANCE BEYOND ITALY

<sup>1</sup> *Veiger*, bk. ii. *Hallam*, Lit., pt. i. *Lübke*, *Renaissance in Deutschland*. *Benold*, 'Conrad Celtis', *Hist. Zeitschr.*, 1883. *Weber*, II, 21 sqq. *Janssen*, vol. ii, bk. i.

The Renaissance assumed consequence beyond the Alps only toward the end of the fifteenth century.<sup>1</sup>

France felt Italy soonest and most. Italian artists<sup>1</sup> and literators visited that land, Charles VIII's soldiers carried home the spirit of the country they overran.<sup>2</sup> The sixteenth century produced several French artists of high rank,<sup>3</sup> none, however, reaching the perfection of the Dutch painters, the brothers van Eyck, in the preceding. Hans Holbein the Younger was the first non-Italian to do this, his Darmstadt<sup>4</sup> Madonna belonging among the very small number of consummate masterpieces. The works of Dürer,<sup>5</sup> Rubens, Rembrandt and van Dyck still delight all beholders. In Germany and in the North generally, the inspiration begotten of the Renaissance tended more to study, thought and reform than to art. Universities were founded and filled, clubs of humanists formed, breadth of view cultivated, an astounding mass of learning acquired. Reuchlin,<sup>7</sup> Erasmus, von Hutten and Melancthon were foremost in these activities, and to them in more than one respect, the modern world owes an immeasurable debt. They fought obscurants, discovered and verified manuscripts, corrected texts, made commentaries. Erasmus was the first modern to edit the Greek New Testament: there is scarcely a prominent Greek or Latin classic which Melancthon did not expound.

<sup>1</sup> There were no literary products of value north of the Alps in the 15th century save those of Commynes and Sir John Fortescue.

<sup>2</sup> Leonardo da Vinci, Andrea del Sarto and Benvenuto Cellini each spent some time at Francis I's court. Laskaris went from Florence to Paris, helped to form the royal library of Fontainebleau and to introduce Greek into the University of Paris.

<sup>3</sup> On this monarch's Italian expedition, Symonds, *Despots*, ch. ix. It was from 1493-'98, he taking Naples in 1495, but holding it only a few months.

<sup>4</sup> Goujon and Pilon have been called the fathers of French sculpture. The former was killed in the Massacre of St. Bartholomew.

<sup>5</sup> Subject and treatment are the same as those of his Madonna in the Dresden Gallery, but critics regard the Darmstadt exemplar the older.

<sup>6</sup> Grimm, 'Albrecht Dürer' in his vol. of translated essays, and Zahn, *Dürer's Kunstlehre u. sein Verhältniss zur Ren.*, Leipzig, 1866.

<sup>7</sup> Geiger, bk. ii, has a ch. [v] on Universities; vi is on Learned Societies, ix on Reuchlin, x on Erasmus, xi on von Hutten. Hettner makes Hans Sachs the greatest humanist of them all. On editing Mss., Symonds, *Despots*, 245 sqq. Machiavelli was contemporary with Luther. Reuchlin lived 1455-1522, Erasmus 1467-1536, LUTHER Nov. 10, 1483-Feb. 18, 1546, v. Hutten 1488-1523, Melancthon 1497-1560.

### § 13 THE NEW IDEAS

*Draper*, ch. xx. Köhler, 'Staatslehre d. Reformatoren,' in *Jahrb. f. deutsche Theol.*, 1874.

The depth of this great movement should be appreciated as well as its breadth. Leading tendencies which marked it, slow and irregular in asserting themselves, may be indicated as follows: 1 A better thought<sup>1</sup> came to prevail of God, as not fickle or vindictive but rational, law-loving and benign. Men's consciences became freer, worship more spiritual, religious devotion less a slavish service, less a thing of form and ceremony. 2 Life was viewed more as something besides probation, as having legitimate interests of its own. This world too, men felt, was meant to be enjoyed. Man was looked on less as a merely religious being, as simply an instrument for God's glory in the old sense, and religion more as a personal instead of a collective concern. In general, individualism<sup>2</sup> replaced the mediæval spirit, so dominant before, of ecclesiasticism, of class, guild, fraternity. 3 Larger belief in the prevalence of law and order in the universe, along with the discovered falsity

of many old beliefs, brought the entire scholastic method of truth-seeking into disrepute, and substituted for it the more rational and fruitful one of observation, experiment, induction. An age of criticism came, wherein thought refused to limit itself to formal<sup>3</sup> exercise or to allow its field to be prescribed. The content of truth, revealed or other, had to be examined. Theology began perforce to be scientific.

<sup>1</sup> Largely due to the new study of Platonism, which, from the middle of the 15th century, supplanted that of the Aristotelian philosophy. Pico of Mirandola denounces A. as foe to Christianity and exalts Plato as its saviour. Pletho was main source of this change. At last in the 16th century Peter Ramus could begin a dissertation before the University of Paris by declaring every proposition in Aristotle false, and Nicolaus Taurillus, counterpole of Aquinas, could call Aristotle and reason contradictory opposites.

<sup>2</sup> Not at all an accident that the captain of the Reformation, Luther, was a Nominalist instead of a Realist. Cf. § 3, n. 5.

<sup>3</sup> § 11, n. 3.

## § 14 CONDITION OF THE CHURCH

*Milman*, bk. xiii. *Symonds*, *Despots*, vi-viii; *Catholic Reaction*, vi, vii. *Ranke*, *Popes*, bk. i, ch. ii. *Janssen*, vol. ii. *Creighton*, vol. i. *Klüppel*, '*Schwäbische Bund*,' *Hist. Taschenbuch*, 1881.

Amid such ideas and currents of feeling it was impossible that the church should be revered and valued as before. Various special causes aided the depreciation of her, turning it in many quarters into contempt and hatred. 1 The great schism<sup>1</sup> of the West, 1378-1417, two rival popes, seven years of the time three, with credentials of apparently equal validity, thundering excommunications at each other. 2 Dissidence of view during and after the Councils of Pisa, 1409, and Constance, 1414-'18, on the question<sup>2</sup> whether

or not pope was superior to council. 3 The Inquisition,<sup>3</sup> organized by Innocent III and extensively used against the Albigenses, but always unpopular with the masses, especially in Germany. 4 The discovery that Aquinas had many wise misinterpreted<sup>4</sup> Aristotle, also the prevalence of Averroistic views on several important questions, notably that of immortality.<sup>5</sup> 5 The chill which zeal for the positive<sup>6</sup> element in Christianity received from the ardent study of the classics. 6 The contrast of the poverty of even the royal laity with the wealth of ecclesiastical institutions and the exorbitant demands on their behalf urged by greedy and assuming churchmen. 7 Most serious of all, the moral corruption<sup>7</sup> in ecclesiastical circles, especially in Italy. Popes practiced open concubinage and simony, and in governing the church, purely in their own interest, made free use of poison and the dagger. Prelates who had paid high for places were butchered that these might be sold again. The worst was under Alexander VI<sup>8</sup>: his court was a den of fiends, embracing an assassin-in-chief, a professional poison-mixer, a numerous harem. The moral gangrene spread to monasteries, nunneries, laic life. Bastards were too common to bear stigma, the words 'honor' and 'virtue' lost their old meanings, morality sunk to a level lower than Epicurean.

<sup>1</sup> Milman, as above, presents the causes. It was a quarrel between the Italian and the Ultramontane, mainly French, faction of the church. Against Urban VI, Italian, who was elected Ap. 18, 1378, Clement VII, a German, was elected on the 20th of the next Sept. Urban died Oct. 15, 1389, and Boniface IX was instantly chosen in his stead. Clement VII died Sept. 16, 1394, Benedict XIII being elected at Avignon the 28th of same month, in his stead. Boniface IV died Oct. 1, 1404, Innocent VII became his successor the 12th. Innocent died Nov. 6, 1406, succeeded on

Nov. 30th, same year, by Gregory XII. Both Gregory XII and Benedict XIII lose obedience and are deposed by the Council of Pisa, June 5, 1409, when, June 26, Alexander V is elected, followed, on his death, by John XXIII, elected May 25, 1410. Gregory and Benedict refusing to abdicate, there are now three popes, until Oddo Colonna is elected Martin V by the Council of Constance, Nov. 11, 1417. On all this, Creighton, bk. i, Gibbon, lxx.

<sup>2</sup> The catholic doctrine, unquestionably so since the Vatican Council, 1870, is of course that pope is superior. On this account Pisa is not reckoned as a Council of the church, it not having been convened by a pope.

<sup>3</sup> Ch. VII, § 16. Cf. Symonds, *Despots*, 333 sqq., Weber, I, 737. The first agent of the Inquisition in Germany was put to death, and several others later.

<sup>4</sup> Roger Bacon reproached Aquinas and Albert the Great with teaching Aristotle as boys, without knowing him. Duns Scotus called Aristotle as taught, nothing but an 'aristotelizing Thomas.' This conviction grew, and led to the sundering of theology from philosophy, the latter henceforth only ancillary. Modern criticism confirms these opinions, proving that his mediæval expositors ascribed to A. opinions of Arabian glossators and other Peripatetics, and grossly falsified him to make him orthodox. Michelet, 49, Lange, H. of Materialism, bk. i, sec. ii. Thus Albert the Great, Aquinas and Duns Scotus agree in referring to Aristotle a conception of *cause* which he never entertained.

<sup>5</sup> Averroes had denied personal immortality, at least in the usual sense, maintaining that only mind or spirit in general would survive bodily death. He believed this tenet Aristotelian.

<sup>6</sup> 'Positive' as opposed to 'moral': the positive behests of Christianity being those, as observance of Sunday and of the sacraments, which natural reason would never indicate.

<sup>7</sup> The saints of the North found at Rome all the commandments turned into the one: '*Geld her!*' — Hase. Boiardo [a churchman] wrote: —

'Tis said by some that by and by the good  
Pope and his prelates will reform their ways.  
I tell you that a turnip has no blood,  
Nor sick folk health, nor can you hope to raise  
Syrup from vinegar to sauce your food.  
The church will be reformed when summer days  
Come without gadflies; when a butcher's store  
Has neither bones nor dogs about the door.'

See Symonds, Appendix to vol. ii of Lit. See *ibid.*, for Lutheran sentiments of Italian poets in Leo X's age.

<sup>8</sup> 'Pope Alexander VI [Borgia] played during his whole life a game of deception. Never did a person so often break his word or pay less regard to his engagements.' — Machiavelli, *Prince*, ch. xviii. Cæsar often did his father's and his own assassin-work. He would go about Rome in the night with a squad of ruffians, and next morning a half-dozen bodies of murdered men would attest their diligence. His device was *aut Cæsar aut nihil*. For such as the Borgias did not dare or care to take off in this way they had a white, pleasant-tasting powder to poison withal, killing gradually. The father died, and the son almost, from accidentally drinking wine which they had drugged with this powder for use in removing a cardinal. Michelet, 214, also chaps. vi, vii. On Lucrezia Borgia, § 7, n. 3. Beside Gregrovius's work apologizing for her, see an apology for the whole family: *Les procès des Borgia*, which the *Rev. historique*, Mai-Juin, 1883, calls good for nothing. '*Vertu*' had come to mean merely 'ability,' especially 'cunning,' and '*onore*,' 'repute,' as in the *Prince*, *passim*. See Symonds, *Despots*, ch. on Machiavelli. There is awful satire in the Decameron, First Day, Second Novel, about the Jew Abraham, converted to Christianity through a visit to Rome. He reasoned that a religion able to live in spite of such utter godlessness in its highest places must be of God. Cf. Symonds, *Despots*, 424 sqq., Grimm, *M. A.*, ch. ii. From Michelet, *Int.* [vol. vii], citing Rigaud, the 13th century seems to have been in France as bad as the 15th.

## § 15 REFORMERS BEFORE THE REFORMATION

*Ullmann*, Reformers before the Reformation. *Gillett*, L. and Times of Huss, 2 v. *Fortin*, Erasmus. *Drummond*, do. *Madden*, Savonarola, 2 v. *Jedart*, *Jean de Gerson*.

While these disorders were for the most part not caused by the Renaissance, which they long antedated, it called fresh attention to them, rendering more serious an opposition<sup>1</sup> to the church, or to its administration, which had been wanting in no age. This opposition was partly practical, insisting on reform of morals without attacking the frame of the church, and criticising ecclesiastical powers only so far as they withstood this, and partly theoretical, aimed at the very constitution of

the church. The theoretical critics were of very various stripes, from pure independents to such as merely wished to subject the pope to new guaranties of fidelity to duty. Doctrine save as involved in polity did not enter into these controversies, even the most licentious popes being scrupulously orthodox.<sup>2</sup> To the first of the above classes belongs Savonarola of Florence, whose difficulty with the church was complicated by politics,<sup>3</sup> and in the main, Hus of Bohemia, burned at Constance. To the second: 1 The Albigenses and Waldenses, objects of crusade and Inquisition,<sup>4</sup> and to counteract whose influence the great preaching orders, the Dominicans and Franciscans, had been organized. 2 Abbot Joachim of Flora,<sup>5</sup> with his 'Eternal Gospel,' which proclaimed in essence a new, churchless dispensation, of spiritual men, free through the Holy Ghost, even from the law of Christ. 3 John Wyclif,<sup>6</sup> the first English reformer, who declared the papacy to be the poison of the church, the pope, however good personally, Antichrist by virtue of his claim to rule the universal church. 4 A large party of devoted churchmen strongly represented at the Councils of Pisa<sup>7</sup> and Constance, who opposed papal absolutism and wished to subject the pope entirely to the authority of general councils.

<sup>1</sup> It is thus impossible to understand the Reformation save as offspring and phase of the Renaissance. See Geffcken, in *Church and State*. But best is Rossmann, *Betrachtungen über d. Zeitalter d. Ref.* [has important *Beilagen*]. Janssen in like manner deduces the Reformation from what was before.

<sup>2</sup> Except possibly Leo X, who was charged with averroism [§ 14, n. 5] upon the doctrine of immortality.

<sup>3</sup> See auth. at § 5. Also Grimm, *M. A.*, ch. iii, Michelet, ch. v, Symonds, *Despots*, ch. viii, and Appendix A. to Machiavelli's *Prince*.

Savonarola was the inflexible foe of the Medici's misrule, which he greatly helped to end, and after Lorenzo's death, Piero's deposition and the departure of Charles VIII, he was for a time lawgiver to the city. But the combined opposition of Pope Alexander VI, the Medici faction in Florence and the despots of other cities at last overwhelmed him. On Hus, Milman, XIII, viii, ix, Creighton, bk. ii, chaps. iv, v.

<sup>4</sup> Ch. VII, § 16, n. 2; Milman, IX, viii.

<sup>5</sup> Michelet, Int., 72; Renan, *Joachim de Flore*, in *Rev. des deux Mondes*, 1866; Müller, *Joachim von Floris*, in Herzog-Plitt's *Realencyc.* Joachim's evangel proclaimed a new freedom, to be introduced by the Holy Ghost, which should set free from the law of Christ, as Christ had set free from that of Moses. He spoke of the Spirit, the inner light, in much the manner of the early modern Friends. John of Parma said to the Cordeliers: *Doctrina Joachimi excellit doctrinam Christi.*

<sup>6</sup> Milman, XIII, vi.

<sup>7</sup> On these Councils, Creighton, I, vi, vii, II. III is on the Council of Basel.

## § 16 GERMANY: RELIGIOUS STATE

*Janssen*, vols. i, ii. *Ullmann*, as at § 15. *Hase*, ch. vi.

Germany was the land where for special reasons this spirit of ecclesiastical rebellion was strongest. Real piety and morality had here their chief seat. The Bible was common and in the vernacular,<sup>1</sup> preaching likewise, much of which was evangelical and earnest. The work of Tauler<sup>2</sup> and of the Friends of God had taken lasting effect. John Wessel<sup>3</sup> had proclaimed up and down the Rhine valley nearly the same doctrines which Luther was about to advocate with such success. Von Wesel and von Goch had been influential in the same direction. Italian vice was near enough to be known, not familiar enough to be popular. The spirit and beliefs of Hus<sup>4</sup> had lived on, nourished by the memory of his holy life, of his brave and unjust death. With all this was joined that Teutonic individualism<sup>5</sup> and love of

independence, which, partly good, partly evil, have made Germany even to our day, a theatre of political disorder. It is noticeable that the sixteenth century found feudalism powerful in Germany alone.<sup>6</sup> Once, mostly loyal to the emperor, the Germans had abhorred the pope as his foe,<sup>7</sup> and this feeling still existed. Now princes, striving for sovereignty<sup>7</sup> of their own, hated Rome as having become the empire's natural mate and helper. This animus infected the people and large numbers of the clergy.

<sup>1</sup> There were 17 German translations of the Bible [not merely editions] before Luther's: 14 High German, 3 Low. Surgant's *Manuale Curatorum*, 1506, warns preachers to distinguish before their hearers between the sense and the letter of scripture, because the people, women as well as men, have the Bible in their own tongue and will read the portions for the day before coming to church. It is no fiction or hyperbole when Sebastian Brant begins his *Narrenschiff*, 1494 [ed. Zarncke]: —

'All land synt jets voll heiliger geschrift,  
Und was der selen heil antrifft,  
Bibel, der heiligen Väter ler,  
Und ander der gleichen Bücher mer,  
In mass das ich ser wunder hab  
Das Nyemant bessert sich darab.'

The editor of the Cologne Bible, 1470-'80, presupposing that the learned will still use the Latin scriptures, exhorts that *all Christians* read the new translation, attending to the sense thereof. The Lübeck Bible, 1494, contains the same injunction. Proofs of this kind exist in abundance. Yet Luther expressly says: 'When I was 20 years old I had never yet seen a Bible and supposed there were no other gospels and epistles than those in the postils.' In explanation it has been noticed that Luther was brought up in a very rude part of Germany, Mansfeld in Thüringen, even Leipzig being named in 1497 a *barbara tellus*. But before ending his 20th year he had been a year at Magdeburg and taken his Bachelor's degree at Erfurt. If it is true that he had then never seen a Bible it must have been his own fault. See Janssen, vol. ii, 67 sq., cf. vol. i [12th ed.], 54.

<sup>2</sup> John Tauler, 1290-1361, a mighty mystic perfectionist and preacher, to whose mode of viewing Christianity Luther was greatly indebted. He

did not defy or break with the church, yet minimized its office. On the Friends of God, Milman, vol. viii, 399. They too were mystics, more ultra than Tauler was at first, but under the influence of their leader, Nicholas of Bâsle, he joined them. The Friends were still in existence in Luther's day, 'if not organized yet maintaining visibly if not publicly their succession of apostolic holiness.'

<sup>3</sup> Hase, § 264. Wessel [d. 1489] proclaimed true religion independent of church forms, forgiveness by God alone, scripture, 'God's abbreviated word,' as sole source of faith. Goch laid stress on saving faith as necessarily issuing in good works. Wesel emphasized predestination and made light of papal power. He was imprisoned [1479] and forced to recant, dying in prison, 1481. Luther taught very little if aught in which these men and their numerous fellow-believers all over Germany had not anticipated him. Wesel had been professor in Erfurt, Luther's own alma mater.

<sup>4</sup> See § 15, n. 3. Hase, §§ 262 sq.

<sup>6</sup> Ch. VI, § 13.

<sup>5</sup> Ch. VI, § 3 and n. 1.

<sup>7</sup> Bryce, xvii, xviii.

## § 17 POLITICAL STATE

*Symonds*, Catholic Reaction, ch. i. *Robertson*, Charles V, bks. i, ii. *Ranke*, Ref. in Germany, bk. i; Popes, bk. i, ch. iii. *Geiger*, II, ii. *Janssen*, vol. i, bk. iv, vol. ii, esp. 313-16. *Ullmann*, Kaiser Maximilian I. *Mignet*, Rivalité de François I et de Charles V, 2 v. *Pütter*, German Empire, bk. iv.

Germany began the sixteenth century in extreme political distraction. Victory there of feudal aristocracy over central power, the precise reverse of contemporary development in France, had left the emperor the mere head of a loose confederation, with very slight actual power. The Fürsten, hereditary and practically sovereign, were seeking to subdue the cities and all nobles within their territories, holding of the emperor. So great the anarchy, the Diet<sup>1</sup> of 1495 ordained toward the reform and greater efficiency of the empire (1) a general tax for its legitimate needs, (2) universal and perpetual end to wars between the states, aggrieved rulers to recur to (3) the imperial chamber<sup>2</sup> or supreme

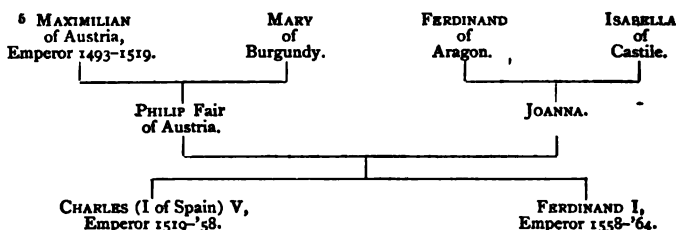
court of the empire, never popular with emperors because its members were appointed by the estates. To balance it the aulic council, created in 1501 as an Austrian affair, gradually assumed imperial functions. In 1500 the empire was divided into six administrative circles, made ten in 1512, a Fürst, with army, in charge of each, to insure the execution of laws. The empire's foreign relations were still more troubled, commanding Maximilian's and Charles's constant attention. i Turkish wars<sup>3</sup> threatened Austria chiefly and directly but involved the whole empire. ii Partly imperial, partly Austrian interests led Maximilian into costly leagues,<sup>4</sup> (1) to drive Charles VIII from Naples, 1495, (2) that of Cambray, 1508, to strip Venice of her main-land possessions, and (3) 'the Holy,' so called, 1511, to expel the French from Milan and all Italy. iii Disastrous to the empire was the enmity to the Hapsburgs because of their immense hereditary sway:<sup>5</sup> Austria, Burgundy, the Netherlands, Spain, Naples and Sicily, America, to all which Ferdinand's marriage added Bohemia and Hungary. France, surrounded, must have been Hapsburg's foe, even had Charles not been elected emperor over Francis I, his rival.

<sup>1</sup> The first Diet under Maximilian I [1493-1519]. His predecessor, Frederic III [1440-'93], had resisted these innovations as imperilling imperial power. Maximilian, 'the Penniless,' yielded, hoping to realize from the new tax, called the 'common penny.'

<sup>2</sup> With president, appointed by emperor, and adessores, by the diet. The diet consisted of the electors, the other Fürsten, and the delegates of the free cities. The chamber would thus certainly be against the emperor on any question between him and diet or Fürsten. The seat of the chamber [till 1693: afterwards always Wetzlar] was Spire, and the slowness of its proceedings, unmatched even in England's chancery, led to the proverb: *Spirae lites spirant et non exspirant.*

<sup>3</sup> After taking Constantinople the Turks continued to advance toward the heart of Europe till 1683, when they were forced to retire from Vienna. At this date Ottoman power encompassed the entire Black Sea.

<sup>4</sup> He was allied in (1) with Venice, Pope Alexander VI, Milan and Ferdinand of Aragon, his aim to check French power; in (2) with Pope Julius II [1503-'13], Louis XII of France, who was Maximilian's vassal for the Milan duchy, and Ferdinand: motive, to punish Venice for alliance with Turks and take back the cities it had wrested from Romagna; in (3) with Julius, Venice, Ferdinand, Henry VIII of England, and the Swiss: motive, to carry out Julius II's notion that 'the barbarians must be banished from Italy.'



Charles V inherited the *Austrian crown lands* and the *Netherlands* from his father, *United Spain*, with *Naples*, *Sicily*, and *America* from his maternal grandfather. To the empire he came of course by election. Of Austria he committed first the administration, then the possession, to his brother Ferdinand, who also succeeded him in the empire. Austria had acquired this great power by marriage, of Maximilian I with Mary of Burgundy, of their son with Joanna, and of Ferdinand. Hence the lines: —

*Bella gerant alii, tu felix Austria nube,  
Namque Mars tibi dat tibi regna Venus.*

## § 18 SPREAD OF THE REFORMATION<sup>1</sup>

*Yanssen*, vol. iii, bk. i. *Weber*, ii, 39 sqq. *Grün*, as in bibliog. *Ranke*,  
Ref. in Germany, bk. i, iii.

Luther had at first no thought of breaking with the church but was drawn to the step gradually, by force of circumstances rather than of set purpose. A year after

arraigning Tetzel he appeals<sup>2</sup> to the pope, holds an equally docile attitude in conference with Miltitz in 1519, reverently addresses Leo again in 1519 and 1520, seems not averse to peace even at the colloquy of Regensburg<sup>3</sup> so late as 1541. The Augsburg Confession disclaimed all purpose of framing a new church. But his outcry against Tetzel's shameless<sup>4</sup> traffic had voiced a popular feeling stronger than he thought, and after his bold stand at Worms he found himself at the head of a movement for which times were ripe, bearing him on in spite of himself. The intelligence and moral earnestness which speedily sided with him, soon commanded the people. Before the Reformation was half a century old, notwithstanding its foes and its excesses, the Peasants' War<sup>5</sup> and the Münster anarchy, fully ninety per cent. of the Germans had embraced it. Meantime a more radical revolt against Latin Christianity had been spreading in Switzerland, led by Zwingli.<sup>6</sup> Checked for a time by his death, this southern protestantism assumed double vigor under Calvin. From Geneva, its centre, went forth zealous preachers in all directions, fearless of death, bent on the salvation of souls. Besides French Switzerland, Holland and Scotland were won for Calvinism, England and France almost.

<sup>1</sup> 1483, Luther born.

1508, Professor at Wittenberg.

1517, Theses against Tetzel.

1518, Zwingli begins in Zurich.

1520, June 15, LUTHER EXCOMMUNICATED, by the bull *exsurge domine*.

1521, DIET OF WORMS, Luther under imperial ban, to Wartburg, begins tr. of Bible.

1524-'5, Peasants' War.

1525, League of Dessau, Catholic Fürsten.

- 1526, I Diet of Spires, liberty but no propagandism: League of Torgau, Lutheran Fürsten.
- 1529, II Diet of Spires, Edict of Worms to be rigorously executed: Lutherans *protest*, hence 'Protestants.'
- 1530, Diet of Augsburg: Melancthon presents Augsburg Confession, without effect; new opinions to be suppressed.
- 1531, League of Smalcald, Protestant Fürsten and cities.
- 1532, Peace of Nürnberg: Augsburg decree rescinded: Protestants to have liberty till Council.
- 1534-'5, Anarchy in Münster.
- 1536, Calvin begins at Geneva.
- 1545-'63, Council of Trent.
- 1546, Luther dies, Feb. 18.
- 1546-'7, Smalcaldic War.
- 1547, Battle of Mühlberg: Wittenberg taken by Charles V.
- 1552, Maurice joins Protestants, being already in league with Henry II: Treaty of Passau, Protestants free till next Diet.
- 1553, Battle of Sievershausen: Maurice beats Albert of Brandenburg-Culmbach but is mortally wounded.
- 1555, PEACE OF AUGSBURG.

<sup>2</sup> Janssen, vol. ii, 71 sqq. Luther was at Rome in 1510. Whatever his impressions then it was long before he thought of deserting the church. March 3, 1519, he protests to the pope before God and all creatures that he has never intended to attack the Roman church. In Feb., same year, he averred that no cause, no sort of sin or evil therein, was or could be so important as to justify one in leaving the church. In the Leipzig disputation of this year he admitted that the Hussites had done wrong in separating from the church. In 1520 he writes: 'To Leo the Tenth, the all-holiest in God the Father, Pope at Rome, all blessedness in Christ Jesus,' stating that he wishes well both to Leo *and to the Roman Chair*, and prays for both 'with all his powers.' Yet he had expressed to Spalatin, March 13, 1519, his uncertainty whether the pope was Antichrist or Antichrist's apostle, and in the letter of 1520 he appeals to Leo if it is 'not true that nothing exists under the wide heaven more ugly, poisonous or hateful than the Roman court. For it far surpasses the vice of the Turks, inasmuch that although Rome was once a gate of heaven it is now a much wider opened mouth of hell, such a mouth, alas, through God's wrath, that no one can shut it.' He expects Leo's thanks for this plainness of speech, and will recant nothing.

<sup>8</sup> Where the emperor and Contarini, papal legate, met Bucer and Melancthon half-way. But the protestant Fürsten enjoyed freedom and did not propose to gird on again their old bonds to church and empire.

<sup>4</sup> According to Luther, Tetzel preached: 1 'That the red cross on the indulgences, with the pope's seal, was just as powerful as the cross of Christ. 2 That he, Tetzel, had grace and power as great as St. Peter would have if present. 3 That in heaven he would not take second place to Peter, for he with his indulgences had saved more souls than Peter by preaching. 4 That just as soon as a piece of money put into the chest for a soul in purgatory touched and jingled on the bottom the soul escaped to heaven. 5 That the grace of indulgence was precisely the grace through which man is reconciled to God. 6 That it was not necessary to have penitence or pain or do penance for the sin if one purchased the indulgence.' From Tetzel's explanation of indulgences later, Janssen doubts his preaching thus, but Myconius confirms Luther.

<sup>5</sup> This rising of the oppressed and starving poor to wrest their rights from the nobles was, of course, only occasioned by Luther's revolt, but his enemies charged him with causing it. To clear himself he became the most merciless opponent of the Peasants' movement. He was also held responsible for the wild views and plans of the Münster fanatics, who, though holding much valuable truth, proposed to suppress not only the papal system but all temporal rule, setting up forthwith the kingdom of God on earth.

<sup>6</sup> On Zwingli and Calvin, Janssen, vol. iii, bks. i, v; Freemantle, Church and Democracy at Geneva, Contemp. Rev., Aug., 1882; Coligny and Failure of Fr. Reformation [in New Plut. Ser.]. Under Catherine dei Medici France was on the point of going over to Protestantism, nobility and merchant classes especially. Margaret of Valois, Francis I's sister, was a Huguenot. See Green, England, vol. ii, 337.

## § 19 POLITICAL INTERVENTION AND SETTLEMENT

*Ranke*, Ref. in Germany, bks. i, vi. *Janssen*, vol. iii, bk. ii. *Robertson*, Charles V, bks. ix, x. *Heeren*, Pol. Conseq. of the Reformation.

Much as the Reformation owes to Luther, one of history's greatest figures and forces, he was voice to it rather than cause, and by his narrowness<sup>1</sup> and indiscretion even did not a little to hinder it. But his breach

with the humanists was a help, rendering the movement popular at the same time that it had solid intellectual basis in himself and Melancthon. The half aristocratic character of the Reformation in France, where it allied itself with descendants of the old feudal aristocrats, was the chief source of its failure there. The Reformation found decisive support in the political world, without which it must have failed or been indefinitely delayed. This proceeded from: 1 All tendencies in the empire hostile to either it or the church. 2 All princes or nobles dissatisfied for any reason with either. 3 The interregnum before the election of Charles V, which made vicar Frederic the Wise,<sup>2</sup> Luther's firmest supporter. 4 Charles's character as a foreigner,<sup>8</sup> the same consideration as to Ferdinand causing his election 'King of the Romans,' to multiply the protestant princes. 5 French and Turkish<sup>4</sup> attacks. 6 Direct alliance and aid of the French kings Francis I and Henry II, who, while burning protestants at home, succored them beyond the Rhine. Once at peace with his foreign foes, Charles, consummate captain,<sup>5</sup> found no difficulty in overrunning Germany in the Smalcaldic war, but the treason<sup>6</sup> of Maurice of Saxony speedily restored victory to the protestant side, and irrevocably sundered church as well as empire into two confessions. By the Peace of Augsburg, 1555, in spite of the pope's opposition, this division took legal form. Princes and free cities that held the Augsburg Confession were to have equal imperial rights with catholic estates. No other form of protestantism was recognized. The *ius reformandi*<sup>7</sup> might be everywhere exercised: *cuius regio, eius religio*, but dissenters were free to emigrate.

<sup>1</sup> He and Zwingli held a disputation at Marburg on the nature of the Lord's supper [§ 20, n. 1]. Luther insisted on taking the words 'this is my body' literally, in catholic fashion; Zwingli interpreted them symbolically: 'this *means* my body.' Despite their disagreement Zwingli held out the hand of fellowship. Luther refused it, saying, 'Ye are of a different spirit.' Yet Bucer induced the Zwinglian cities to join the Smalcaldic League. Janssen is not over-severe in accusing Luther of too easily identifying his view with God's truth, though Luther often enough professes fallibility. The humanists, Erasmus, Reuchlin, Albrecht Dürer, at first encouraged Luther, but could not go the length of rupturing the world's ecclesiastical unity. Not strange. They foresaw the '*Caesaro-papism*' [Ch. IX, § 4] to which the reform movement must lead, and deemed religion safer in an ecumenical church under an elective head than in so many national churches each under an irresponsible head. Men who argued so Luther regarded God's enemies.

<sup>2</sup> The pope, fearing the power Charles would have if elected, secretly favored Francis, and did his best to bring Frederic to his view as likely to hold the balance of power among the electors. This was Miltitz's mission [§ 18], and explains his kindly attitude toward Luther. In M.'s conference with Luther he admits the shameless abuse of indulgences, which Janssen now seeks to cover, and promises that it shall be stopped.

<sup>3</sup> The same has kept Hapsburg rulers unpopular in Germany ever since, and cultivated the hatred against Austria as a non-German land which led to the war of 1866. See v. Treitschke, *Deutsche Gesch. im XIX Jahrh.* I, 4 sq.

<sup>4</sup> Yet the army to beat back Solyman the Magnificent in 1531 was made up partly of protestants, and Luther himself gave it a good send-off in a fiery sermon against the Turks. Francis I formed alliance with Solyman to aid against Charles. Reviled therefor, he replied, 'When wolves attack my sheep, I shall employ dogs to defend them.'

<sup>5</sup> Equally consummate in the cabinet,—one of history's great men. Nor was he by any means the catholic bigot most protestants suppose. On the contrary catholics accused him of favoring and even patronizing heretics. Green, *England*, II, 204 sqq. Cf. Weber, II, 33. As they stood above Luther's grave in Wittenberg the duke of Alva was for pulling up and burning the corpse. 'I war not with the dead but with the living,' said the emperor. He attacks the League of Cognac, though headed by Pope Clement VII, Francis, Venice, Sforza of Milan and Henry VIII its other members, and his army under the Constable de Bourbon, who had deserted Francis for Charles, takes Rome and imprisons the pope. Many

protestants were in this army also. Hostilities were ended by the Ladies' Peace of Cambray, 1529 [Charles's aunt, Margaret of Austria, and Francis's mother, Louise of Savoy].

<sup>6</sup> He had aided the emperor in the campaign against the protestants and in return had been installed elector of Saxony in John Frederic's place. But no sooner has Mühlberg made Charles master of Germany than Maurice turns against the emperor, allies himself with Henry II of France and becomes head champion of the protestant cause.

<sup>7</sup> Freedom of faith after all only for Fürsten, and of these for none but Lutherans. Every Fürst could force his subjects to conform to his faith or leave his land. Lutherans were little less hostile to Calvinists [Reformed] than catholics were. A stone built into a house in Wittenberg bears the legend from Reformation times:

*'Gottes Wort, Lutheri Schrift,  
Des Papstes und Calvini Gift.'*

As little did Calvinists or Calvin himself concede to others the freedom of belief which all protestants demanded from the pope. The Genevan leader approved the burning of Servetus, as 'a pious and memorable example for all posterity.' On the indefiniteness of the Augsburg Treaty and the consequent misunderstandings, leading to the 30 Years' War, see opening §§ of next Chapter.

## § 20 ECCLESIASTICAL SETTLEMENT

*Weber, II, 59 sqq. Hagenbach, H. of Doctrine, IVth Period. Schaff, and Giessler, as in bibliog.*

1 Doctrine. The protestants proposed to take scripture alone as authority, casting aside tradition, patristic opinion and conciliar decrees. The Lutherans wished to reject only the scripturally forbidden, Calvinists everything which scripture does not command. Living faith was proclaimed to be the only soul-saving act, works valueless except as springing from this. Both wings, though Calvinists with far the more stress, referred faith for origin, in Augustine's manner, to divine predestination. As to the nature of the eucha-

rist, the only recognized sacrament save baptism, while all renounced transubstantiation,<sup>1</sup> Luther taught consubstantiation, Zwingli symbolism, Calvin a spiritual real presence which he regarded something more than a mere product of symbolism. Worship of Mary and of angels was denounced as sin. 2 Polity. The protestants rejected the pope's primacy and the entire papal system as such, including canon law and clerical celibacy. Both sections agreed in giving up apostolic succession and in subjecting the clergy like other citizens to civil authority,<sup>2</sup> but while the Lutherans retained a modified episcopacy and linked the church closely with civil power, the Reformed organized presbyteries, which were to be autonomous. 3 Worship. Mass<sup>3</sup> in Latin was replaced by service in the vernacular, wherein preaching was prominent, especially among the Reformed, who also retained fewer forms and less set liturgy. The laity communed in both kinds, church music came into new favor, the Reformed using psalms, Lutherans hymns as well. In general, the Lutheran liturgy was the more joyous, speaking more of God's fatherhood and love, the Reformed more solemn, dwelling upon God's judgeship, justice and wrath. The last difference affected the entire spirit of the two parties, their views of life and their moral walk.

<sup>1</sup> The view that the bread and wine, after their consecration at communion, *are* as to substance, the flesh and blood of the Redeemer, although retaining their former accidents. Consubstantiation differed from this catholic view only in supposing *the old substance also to remain with the new*.

<sup>2</sup> 'The success of the Reformation, positively and negatively, turned chiefly upon the coöperation of three great deeds: rediscovery of classical antiquity by the humanists, rehabilitation of the pure gospel by the re-

formers, and lastly, supplanting the worldly-spiritual aristocracy of the later middle age by the, where possible, national, but at any rate modern, state.' — Roscher, *Gesch. d. Nationalök. in Deutschland*, 32.

<sup>3</sup> The Lutherans set aside, in their view, not the mass itself [*Messe*] but the *sacrifice* of the mass. Hagenbach, II, 310. Here as elsewhere they wished merely to get rid of abuses and lay bare the old gospel and polity. Lutherans love to be called 'evangelical,' not 'protestant,' even to-day.



## SELECT BIBLIOGRAPHY TO CHAPTER IX

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## CHAPTER IX

### THE THIRTY YEARS' WAR

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#### § I GENERAL CAUSE AND CHARACTER

*Gardiner*, ch. i. *Treitschke*, *D. Gesch. im XIX Jahrh.*, I, i. *Heeren*,  
as in bibliog. *Häusser*, ch. xxx.

OF that unity in European society so dear<sup>1</sup> to the middle age the Reformation had about destroyed all real remnant, ruptured even the form. But men would not give up the idea, or the hope that it might again be realized. The Peace of Augsburg had established as legal a religious confession other than catholic, but its so unsatisfactory basis of agreement, toleration to rulers alone, rendered it a truce rather than a peace. In less than seventy-five years the faith of Luther had to enter upon a fresh struggle for life, protestant Europe against catholic, fiercer and longer than the first, which for a quarter of a century threatened to subjugate all Germany once more to pope and emperor. Now again appears even more painfully than at the Reformation, German inaptitude for political organization, the deterioration of the imperial constitution, the feebleness and nominal character of imperial power. The diet,<sup>2</sup> lacking a popular element, could not feel or voice the real spirit of the nation. The people and their instituted authorities were at feud, a majority of them at least,

allied with a minority of the princes against a majority of the princes supported by the emperor. The constitution offered no means of reconciliation.

<sup>1</sup> Which explains why so many most excellent men, like Erasmus and Sir Thomas More, clung to the ancient church in spite of their admission that it needed reforming in head and members. The formal unity of Christendom seemed to them essential to any real unity or power among Christians. Their scruple is more readily seen to be natural when we remember that till the Peace of Westphalia, 1648, church and empire comprised the sole European system and the only means for enforcing international obligations. Cf. Ch. VIII, § 19, n. 1.

<sup>2</sup> The diet consisted of 3 regular colleges, i) the electors, ii) the other Fürsten, iii) the representatives of the free cities. For its irregular members and its constitution after the Peace of Westphalia, see § 18. On the general subject, Bryce, 316 and v. Schulte, 312. The electorates even in the free cities were narrow corporations.

## § 2 THE AUGSBURG SETTLEMENT

*Küchlin*, bk. iii. *Gardiner*, ch. i. *Weber*, II, 77. *Mebold*, ch. i. *Klopp*, *Absschn.* i.

This had been forced by sheer weariness of war and was nowise duly considered. 1 From the *cuius regio eius religio* had followed exceeding hardship to both catholics and Lutherans, still more to Calvinists, no prince of the empire having embraced this confession till 1559,<sup>1</sup> then but one, no others till 1582. 2 The *reservatum ecclesiasticum*, relating to archbishops, bishops and abbots holding immediately of the empire, that no one of these on becoming protestant should retain his preferment, church property or subjects, was a mere imperial law<sup>2</sup> and had never been agreed to by the Lutherans. 3 While the Peace decreed the *status quo* as to the properties<sup>3</sup> already secularized by protestant princes, the vital question whether secularization

could go forward thereafter had never been decided. From the protestant insistence that they abandon the lands secularized before the Treaty of Passau, catholics naturally assumed the negative. Protestant lords on the other hand, from their right to fix their subjects' faith, argued that they might dispose of all ecclesiastical property within their territories and had acted upon this conclusion. Whatever understanding was had at Augsburg seems to have been in the direction of the catholic view: the wishes and interests of the majority of the people involved favored the protestant.

<sup>1</sup> The Count Palatine turned Calvinist in 1559, the Archbishop of Cologne in 1582, the Margrave of Brandenburg and the Landgrave of Hessen-Kassel in 1604. By the letter of the Augsburg Convention, *doch sollen alle andere [Fürsten], so obgemeldeten beiden Religionen nicht anhängig, in diesem Frieden nicht gemeinet, sondern gänzlich ausgeschlossen sein* [§ 4], Calvinists in these localities were no better off after than before the conversion of their Fürsten. In fact, however, the latter were too powerful to be interfered with. Contrary to Weber's implication this Peace did not, like that of Westphalia, guarantee toleration to subjects dissenting from their Fürst's faith.

<sup>2</sup> The entire Treaty is in form an imperial rescript, but the section [5] containing this *reservatum* is phrased differently from the rest, basing it not on the diet's vote but *in Kraft hochgedachter Röm. Kayserl. Maj. gegebenen Vollmacht und Heimstellung*.

<sup>3</sup> Subordinate properties, that is, monasteries, nunneries and church lands which ecclesiastics held not from the emperor but from some Fürst. The 'secularization' in question had meant in many cases mere appropriation by the Fürst for his own profit, in others, the rule perhaps, devotion to the support of universities and schools.

## § 3 THE DIFFICULTY AGGRAVATED

*Motley*, Dutch Republic: United Netherlands. *Prescott*, Philip II. *Symonds*, vol. i. *Baumgarten*, *Vor d. Bartholomäus-Nacht*. *White*, M. of St. Bartholomew. *Ranke*, *Popes*, bk. ii. *Philippson*, *Contre-révolution religieuse au XVI<sup>e</sup> Siècle*. *Allen*, in *Unitarian Rev.*, 1883. *Michelet*, vol. ix.

Meantime many developments increasing hostility between the camps, invited new trial of strength. 1 Rise of the Society of Jesus, 1540. Its principle absolute, unquestioning obedience to ecclesiastical authority, its model of Christian life Saint Francis, its method of work control of education and thinking in the influential classes, this organization became at once a great power in Christendom.<sup>1</sup> Trent, so soon, feels this, and its decrees, summarily anathematizing all protestant beliefs, evince the spirit of the new papal militia. 2 Reform within the catholic church.<sup>2</sup> This largely from the Jesuits, spurred thereto by protestantism, yet so decided, real and moral was the betterment that many good men might deny to the Lutheran revolt all further *raison d'être*. 3 The massacres of Vassy, 1562, and St. Bartholomew, 1572.<sup>3</sup> In the latter, inhuman beyond conception, yet approved by the pope, at least twenty-five thousand French protestants, by some estimates not less than one hundred thousand, were butchered for their faith. Nothing could have smitten harder than this terrible deed upon the wedge that was forcing Christendom in two. 4 Persecution of protestants in the Netherlands by Spanish kings,<sup>4</sup> 1568-1609. The policy of Charles V to make his Lowland provinces catholic and separate them from the empire, pursued with less skill by his successors, led to persistent rebellion, which all the craft, force and hellish cruelties of

the Philips and their agents could not quell. Impossible that the cost in blood and torture, of protestant victories in this struggle should ever have been forgotten.

<sup>1</sup> By 1618 there were even in Germany no less than 13,000 Jesuits. At the opening of the Council at Trent many catholic theologians showed a conciliatory temper, but were speedily silenced by the uncompromising ardor of the Jesuits.

<sup>2</sup> Philippon, as above, points out how, in the 16th century, Rome succeeded in not only opposing a solid dike to the waves of protestantism but in actually beating them back and recovering a large part of the inundated land, especially in southern and western Germany. He handles i) the rise of the Jesuits, ii) the reestablishment of the Roman Inquisition, and iii) the Council of Trent. The Roman church owes a great debt to the protestant revolt for its own continued life and power.

<sup>3</sup> Masson, Huguenots, 49. Duke François de Guise was proceeding from Joinville to Paris with a company of retainers. As he passed through Vassy on Sunday, March 1, some Huguenots were assembled in a barn for worship. His followers commenced jeering, there was a tumult, the duke was wounded, his soldiers rushed upon the congregation sword in hand and cut down above 60 of them, wounding over 200 others. On St. Bartholomew, Baumgarten is the very best. He critically expounds the antecedent history. Cf. Häusser, ch. xxvii, Besant's Coligny, Michelet's *France*, IX, xxi-xxvi, Baird's *Rise of the Huguenots*, 2 v, and Smiles's *Huguenots*.

<sup>4</sup> Prescott and Motley narrate these *in extenso*. Cf. Häusser, chaps. xxii sqq. and Sterling-Maxwell's *Don John*. Egmont, Wm. the Silent, Maurice of Orange, and John of Barneveld were the great history-makers in this protracted struggle. It is said that in Netherlands alone during the 18 years of Torquemada's administration 10,220 persons were burned, 197,327 buried alive, drowned, imprisoned for life or reduced to beggary. Charles V on relinquishing his power, 1556, gives Spain and its colonies, also Franche-Comté, Naples, Milan and the 17 Netherland provinces to his son Philip II [1556-'98], these last thus though still *de iure* in the empire, made the dependencies of Spain. This relation, not religious difference, began the war. Open feud first rose over i) presence of Spanish troops, and ii) power bestowed upon Philip's favorite, Granvella, archbishop of Mechelin, cardinal and primate over the whole church of the Netherlands. Protestantism meantime growing rapidly, here Calvinistic

more than Lutheran, connected itself with the opposition to Granvella and the Spaniards, and before the recall of cardinal and troops had gathered fatal momentum. Concessions now were worse than futile. In 1567 Philip resorts to force, using: i *The Duke of Alva*, till 1573: bloody and absolute rule, Wm. the Silent and over 100,000 of his fellow-subjects emigrate, Egmont and Hooru die as traitors, crushing and lawless taxation ruins business, driving the Dutch to sea as pirates, origin of their naval and commercial greatness. ii *Requesens*, till 1576: milder measures but with the same aim, to subjugate politically and religiously. iii *Don John of Austria* [victor at Lepanto in 1571], till 1578: mutiny of Spanish soldiers and their terrible ravages in Flanders and Brabant evoke the 'pacification of Ghent,' 1576, all the provinces agreeing to lay aside religious differences and unite to drive out the Spaniards. iv *Alexander Farnese* [of Parma, Philip's greatest general], till 1589: Union of Utrecht [1579], consisting of the 7 northern, mainly German and protestant, provinces: Holland, Zealand, Utrecht, Guelders, Gröningen, Friesland and Overijssel, declaring independence of Spain, 1581, under Wm. the Silent as Stadtholder. These provinces [Holland], aided by England [Sir Philip Sidney] and Philip II's war with that power [the Armada], also by Henry IV of France, maintained their independence until the Peace of Westphalia decreed it in 1648 and Spain at last recognized it in 1657. Philip's acquisition of Portugal in 1581 enabled the Dutch to attack him in the Portuguese Indies, enterprise which carried Dutch commerce round the globe: Dutch E. India Co. founded 1602, Java 1611, Batavia 1619. The southern provinces [Belgium] were fully subjugated, remained Spanish till the Peace of Utrecht, 1713, and then passed, the portions ceded to France by the Treaty of Aix-la-Chapelle, 1668, with the rest, to Austria, which retained them till the French Revolution. Schiller, *Abfall d. Verein. Niederlande*.

#### § 4 ILL SUCCESS OF PROTESTANTISM

Ranke, *Popes*, bk. vii. Gardiner, ch. i. Häusser, ch. xxx.  
Lodge, *Mod. Europe*, ch. x.

The Peace of Augsburg was followed by an unprecedentedly disgraceful period of German history. The anti-catholic party, far from showing aught of constructive genius or wish, seemed at first hopelessly anarchic. i Politically. Protestants were not united, petty gov-

ernments being mad with rivalry, each bent on self-aggrandizement no less than of old. Only external pressure or stimulus, and this but rarely, could force the champions of the new faith to present a solid front to foes. The Hanseatic cities<sup>1</sup> feared neighboring lords and looked to the emperor for protection, as they did for intervention in favor of foreign trade. Spirit and energy were wanting. Gustavus Adolphus was the only protestant chief who betrayed any sense of having a cause. 2 Doctrinally. Sects sprung up in such multitude and fought so bitterly that it was hard not to condemn the primary schism whence all came, and natural to sigh for a central doctrinal authority. Subscribers and non-subscribers to the Formula of Concord<sup>2</sup> gnashed teeth at each other; both at Calvinists, Calvinists at both. Melancthon longed to die to escape the implacable quarrels of theologians.<sup>3</sup> 3 Ecclesiastically. The two reforming communions did not carry out or even understand the precious and far-reaching principle which they had professedly espoused, denying one another the very liberty of conscience which they had deserted Rome for refusing them. Like intolerance swayed the subdivisions of each. Also that authority in matters of faith which the pope had been cursed for arrogating, they yielded to secular rulers,<sup>4</sup> ignorant and often godless. From these three sources of confusion resulted a state of affairs so hopeless and threatening that many protestants were aghast, while emperor and pope may actually have felt it at once obligatory and possible to reassert the church's ancient sway.

<sup>1</sup> Those belonging to the Hanseatic League, a federation of certain commercial and maritime cities between the Elbe and the Baltic, dating

from about 1260. Lübeck was its capital, Hamburg always a prominent member. From 1350 over 90 cities belonged to the League, between Esthonia and the Scheld-mouth, its field all northern Europe, its purposes mutual defence, security of the routes of commerce whether by land or water, winning and keeping privileges to trade, and the dispatch of all those matters now pertaining to private international law.

<sup>2</sup> Between the strict Lutherans and the Philipists or followers of [Philip] Melancthon, these being charged with leaning toward Calvin, although Melancthon's peculiar views, modifying the predestination doctrine and depreciating the Old Testament, were in the opposite direction. The Formula was subscribed in 1580 by 96 Lutheran lords, but not by all of either party, thus making three sects of Lutherans instead of two.

<sup>3</sup> Frederic V's woes in Bohemia and desertion by the other protestant electors he owed largely to his Calvinism. It was stiff indeed. Even after Gustavus had won back the Palatinate, Frederic would not give freedom of worship to Lutherans there. And the Lutherans! Hohenegg, theologian to the Saxon court, said: 'For it is as plain as that the sun shines at noon that Calvinism reeks with frightful blasphemy, error and mischief and is diametrically opposed to God's holy revealed word. To take up arms for the Calvinists is nothing else than to serve under the originator of Calvinism, the devil. We ought to give our lives for our brethren, but the Calvinists are not our brethren. We ought to love our enemies: the Calvinists are not *our* enemies but God's,' [Häusser]. Chancellor Crell for attempting to introduce Calvinism into Saxony was imprisoned ten years and then beheaded on charge of high treason. 'It was owing to this spirit that the struggling protestants of France were denied the indispensable support of the most powerful sect of their brethren in Germany, and that Lutheranism and Calvinism, reluctant to act together even in the most deadly crisis of the 30 Years' War, were nearly crushed one after the other under the iron heel of Austria' [Tuttle].

<sup>4</sup> There had never been a formal establishment of religion in Christendom before. Practically there had been, particularly when the empire was young and strong, yet it had rested hitherto rather upon general consent than upon express provision of law. Heeren, *Pol. Conseqq.*, 61 sqq. Catholics bitterly reproached protestants with having splintered the church, giving it some hundreds of heads for one, all of them secular instead of spiritual. Janssen, vol. ii, 85.

## § 5 SPECIAL MOTIVES FOR INTERVENTION

Same auth. as at § 4. *Janssen*, vol. iii. *Weber*, II, 187.

Several considerations in addition to all the above inclined the emperor to interfere. Most of the constant political tumult, revolt, defiance of law and order<sup>1</sup> since the Reformation opened had either grown visibly out of protestantism or connected itself therewith. The schism was the triumph of the feudal and divisive spirit, death to imperial or any central authority, and had brought persecution to numberless faithful sons of the ancient church. In particular: 1 Some two hundred monasteries had been seized since the Peace of Augsburg, as to four of which legal decision had been rendered against protestant possession. The emperor construed this decision as a principle covering all such cases, and so acted wherever he had power. Thus when, in 1582, the Elector-Archbishop of Cologne,<sup>2</sup> Duke of Westphalia, became a Calvinist, Spanish troops drove him from his lands, which with his see and dignity passed to a catholic. 2 Eight great northern bishoprics had been brought under protestant rule by what was alleged<sup>3</sup> to be an evasive interpretation of the *reservatum ecclesiasticum*, to the effect that, *if the chapter concurred*, though not otherwise, a bishop, on changing confession, *might* retain his place and property. Protestants, long a majority of the population, bade fair to secure a majority in the diet as well. The last two points formed the real occasion of the Thirty Years' War, the catholics standing on, or nearest, the technical right of the case, the protestants on the logic of

events and the desires of the people. The catholic programme could have been carried through only by forcibly re-converting hosts of protestants.

<sup>1</sup> Such as the Peasants' War and the anarchy at Münster.

<sup>2</sup> This case, concerning as it did an entire *Fürstenthum*, was not a parallel to cases of mere monasteries and nunneries, but it was analogous, as that of a Fürst proceeding to protestantize communities and church properties catholic at the Peace of Augsburg. Nor was it parallel to the instances cited under 2, since the archbishop had acted against the opposition of his chapter. The new incumbent was a brother to Maximilian of Bavaria.

<sup>3</sup> Not justly. The language of the *reservatum* [§ 5, Tr. of Augsburg] clearly presupposes that in the instances to which it relates the chapters remain catholic, commanding these to proceed to the election of a new 'archbishop, bishop, prelate or other officer of spiritual estate,' as the case might be.

## § 6 UNION AND LEAGUE

*Gardiner*, ch. i, sec. 4. *Häusser*, ch. xxxi. *Weber*, II, 188. *Ritter*, *Gesch. d. deutschen Union*. *Villermont*, ch. iv.

A most vexatious case of catholic aggression, under pretence, perhaps according to the letter, of law, was that of Donauwörth. This Lutheran imperial city, whence all catholics save members of a certain monastery had been excluded under the *cuius regio*, was put to the ban of the empire in 1607, for disturbance to an illegal procession by the monks. Duke Maximilian of Bavaria, appointed to execute the sentence, on the ground that these had been seized since Passau,<sup>1</sup> restored their churches to the catholics, quartered soldiers on inhabitants persisting in Lutheranism, and joined the city to his duchy. In consequence of this high-handed procedure<sup>2</sup> and of Archduke Ferdinand's cruelty to protestants in Styria,<sup>3</sup> a 'Union'<sup>4</sup> of protestant princes and

cities was formed in 1608, Frederic IV of the Palatinate its head, to prevent further infringements of the Augsburg constitution. The Union did not mention defence of faith as among its objects. Next year the catholic princes, mostly ecclesiastics,<sup>5</sup> created their 'League,' headed by Maximilian, a *Wittelsbacher*<sup>6</sup> like Frederic, to maintain imperial laws and *to protect the catholic religion*. The Union expected aid from France,<sup>7</sup> the League from Spain. The League was united, ably led, fired with ecclesiastical zeal. Maximilian indeed had political aims and a political mind, but he too had been educated<sup>8</sup> and inspired by the Jesuits. Mark that League, not empire, is now the church's champion. Probably the League even so early meditated the *status quo* of 1555. The Union on the contrary was divided and without enthusiasm, Calvinists and Lutherans lacking mutual confidence, the northern Lutherans, headed by John George<sup>9</sup> of Saxony, who envied Frederic, holding aloof altogether and urging compromise. It was further against the Union, that Christian of Anhalt at least had designs against the integrity of the empire, and that the contention of several protestants in the Diet of 1608 against the right of the majority to bind in cases of taxation or religion, threatened anarchy, and was construed as masking a plan for wholesale attacks on the church.

<sup>1</sup> See § 2, also § 5, n. 3.

<sup>2</sup> Understood to be against emperor Rudolph's will. Even this severe ruler was charged, like his father, emperor Maximilian II, with too great tenderness toward protestants.

<sup>3</sup> Soon to become emperor Ferdinand II. He was a grandson of emperor Ferdinand I. Naturally superstitious, and educated by Jesuits

at Graz and at the Ingolstadt [now Munich] University, he felt toward protestants and all heretics exactly as his kinsman, Philip II of Spain, had felt. He preferred, he said, to beg or even be cut in pieces rather than submit to them. 'Do not I hate them, O Lord, that hate Thee?' he loved to repeat, 'and am not I grieved with those that rise up against Thee? I hate them with perfect hatred.' It was most true. He had taken a solemn vow to drive, at the risk of his life, all sects and errors from the lands he inherited. He daily spent from two to three hours in prayer and pious meditation. After a long morning prayer he would listen to two masses, attend divine service in the afternoon, devote a set time to the examination of his conscience, and close with an evening prayer. On a Sunday or a feast day he always heard two sermons. His sole literary activity consisted in the perusal of pious books. Gindely, ch. i. The great Kepler, hitherto resident in Graz, was among the protestants exiled by Ferdinand's fiery bigotry.

<sup>4</sup> Besides Frederic, Christian of Anhalt and the Landgrave of Hessen-Kassel were the Calvinist leaders. Württemberg, Bade-Durlach and Neuburg were the chief Lutheran states. Fifteen imperial cities were members, of which Strassburg, Ulm and Nürnberg were the foremost.

<sup>5</sup> The three ecclesiastical electors of Mainz, Trier and Köln, and the bishops of Würzburg, Salzburg, Regensburg, Augsburg and Passau.

<sup>6</sup> On the famous House of Wittelsbach, Ch. V, § 8, n. 5, Weber, I, 699, 709.

<sup>7</sup> Henry IV of France, for some time before his assassination on May 14, 1610, had been meditating a more or less formal European system, which, had his thought been carried out, would have prevented the 30 Years' War. The three religious confessions as well as the different forms of secular polity, the empire, royalties hereditary, royalties elective, and republics, were all to be equally legitimate, trade and navigation to be free, no two emperors ever to be elected in succession from the same house, the hereditary possessions of Austria to be circumscribed, and any trespass by one nation upon another to be redressed by the might of all. This seems to have been the first emergence of the policy removing the political surveillance of Christendom from church and empire, of the notion of a European concert such as has attended to the weightiest matters of international interest since. The conception influenced Richelieu's policy and the immortal work of Grotius, and got itself to a great extent realized in the Treaty of Westphalia [§ 17]. See Häusser, ch. xxix, and Gindely's Rudolph II, ch. iii.

<sup>8</sup> At Ingolstadt, with archduke Ferdinand [n. 3]. On the character of these two men, Gindely, chaps. i, iv, v.

<sup>9</sup> This was John George I, 1611-'56, nephew of Maurice [Ch. VIII, § 19]. Saxony had also the electors John George II, 1656-'80, III, 1680-'91, and IV, 1691-'94. All of them sympathized too much with Austria. Weber, II, 76.

### § 7 CONTEST FOR JÜLICH-CLEVE

*Ranke*, *Popes*, bk. vii, ch. i. *Weber*, II, 188. *Tuttle*, H. of Prussia, ch. iv. *Gardiner*, 21 sq. *Motley*, *Barneveld*, chaps. i, v, vi.

In 1609, the male line of the *Jülich-Cleve* ducal house becoming extinct,<sup>1</sup> its immense territories were claimed by both the Elector of Brandenburg and the Count Palatine of Neuburg, representing the nearest female heirs. As the laws of the house forbade its lands to be divided, Brandenburg and Neuburg, the estates of the lands concurring, had agreed<sup>2</sup> to possess in common, but Emperor Rudolph II, supported by the League and by Spain,<sup>3</sup> declared the fief escheated and sent Archduke Leopold to seize it by the aid of Spanish troops. France, now under Henry IV firmly allied with the Union,<sup>4</sup> also England and Holland, dispatched troops to oppose, retaking the fortress of Jülich. The ensuing truce between League and Union was ruptured by the Count Palatine's quarrel<sup>5</sup> with the Elector, the former joining the catholics and the League, the latter the Calvinists and the Union. The resulting war, wherein Spain again supports the League, the United Netherlands the Union, continues till the Treaty of Xanten,<sup>6</sup> 1614. Final division was indeed only arrived at in 1666, when Brandenburg, and so Prussia, receiving Cleve, Mark and Ravensberg,<sup>7</sup> first set firm foot in Western Germany.

<sup>1</sup> Duke William, 1539-'92, had two daughters, Mary Eleanor and Anna, and a son John William. He left a will that should John William die childless, as he did in 1609, the duchy should go to Mary Eleanor's heirs, or if she had none, to Anna's. Mary Eleanor *had no sons* but her daughter had married John Sigismund, elector of Brandenburg. Anna married Philip Ludwig, count palatine of Neuburg, and *had a son*, Wolfgang William. The letter of the will favored Brandenburg, the usual preference in law and usage of male heirs favored Neuburg.

<sup>2</sup> By the convention of Dortmund, 1609. The estates of any *Fürstenthum* were the prelates, knights and cities. v. Schulte, 253.

<sup>3</sup> In the year 1609 Spain effected a truce with the Netherlands for 12 years, and was hence at liberty to turn her arms in other directions.

<sup>4</sup> France sent troops to the Union's aid even after Henry IV's death in the year 1610.

<sup>5</sup> It had been partly arranged that the young count, Wolfgang William, should marry his cousin, elector John Sigismund's daughter, but count and elector fell out, the latter striking the former smartly on the cheek.

<sup>6</sup> This might have been definitive but for the immediate outbreak of the 30 Years' War, ripping up this and all such engagements and offering each side the hope of gaining all. Another temporary bargain was patched up at Düsseldorf in 1629. This matter even the great date of 1648 failed to see settled. Cleve was a duchy, Mark and Ravensberg both counties.

<sup>7</sup> Jülich and Berg with the city of Düsseldorf were confirmed to Neuburg. Neuburg proper was a small territory between Regensburg and Nürnberg in what is now northern Bavaria.

## § 8 BOHEMIA'S ROYAL CHARTER

*Gardiner*, ch. ii. *Gindely*, *Rudolph II*; 30 Yrs. W., I, iii; *Geach*.  
*d. Böhmisch. Majestätsbriefes.*

Meantime affairs at the other extremity of the empire assumed a threatening aspect. Through the policy, most liberal, of the enlightened Emperor Maximilian II,<sup>1</sup> the hereditary Hapsburg territories,<sup>2</sup> of Austria, Styria, Carinthia and Carniola, had become very strongholds of protestantism. In all these lands the burghers and nobles had espoused the Reformation almost *en*

*masse*.<sup>3</sup> Tyrol alone clung to the old faith. In Hungary and the realms of the Bohemian crown, where Hapsburg archdukes had ruled as kings,<sup>4</sup> a majority of the people and almost all the nobles had also, partly from memory of Hus, renounced catholicism. Emperor Rudolph II, king of Bohemia, less tolerant than his father, had yet been forced in order to retain the loyalty of his Bohemian subjects, to grant a charter in 1609 assuring to every person free choice between the catholic and the Bohemian-protestant confession.<sup>5</sup> The right to build churches<sup>6</sup> was hereby bestowed not universally but only on some fourteen hundred nobles and forty-two towns. On the royal domains alone was this right conferred upon the people themselves. The question whether in this matter ecclesiastical should be treated as royal domains was not decided.<sup>7</sup> The protestants of Braunau built a church on the land of the Abbot of Braunau, those of Klostergrab on the land of the Archbishop of Prag. Mathias, having become king, in 1611 declared this illegal. Perhaps legitimately, but when he compelled protestants to catholic services on his own domains, and made them subject to the catholic clergy, the royal charter was plainly a dead letter. Protestants began to prepare for the worst.

<sup>1</sup> From Maximilian I [1493-1519], the succession of emperors was [i] his grandson Charles V, 1519-'58, [ii] C.'s brother Ferdinand I, 1558-'64, [iii] F.'s son Maximilian II, 1564-'76, [iv] M.'s son Rudolph II, 1576-1612, [v] R.'s brother Mathias, 1612-'19, [vi] M.'s cousin and adopted son Ferdinand II, 1619-'37, [vii] F.'s son Ferdinand III, 1637-'58. Maximilian II married his cousin, daughter of Charles V, and had 15 children. Ferdinand II was the son of the 13th son of Ferdinand I.

<sup>2</sup> These were little more than administrative divisions, and did not annul the single sovereignty of the head of the Hapsburg house.

<sup>3</sup> Emphatically disproving Macaulay's easy generalization, making protestantism Teutonic and catholicism after the Reformation non-Teutonic or Romanic. These provinces were the most strongly Romanic parts of the then empire. Cf. § 11, below, and Häusser, ch. xxxi. Maximilian II was half a protestant, giving the new faith its start. His successors, its foes, killed it out.

<sup>4</sup> On the relation of Bohemia and Hungary to Austria, Freeman, *Hist'l Geog.*, 324 sqq. Bohemia was a member of the empire, Hungary not. Bohemia had previously been under the Austrian crown for a brief time, viz., from about 1440 to 1457, but the relation was permanently established only on the marriage of Ferdinand, soon-to-be emperor Ferd. II, with Anna, sister of the deceased king Ludwig of Hungary and Bohemia, who fell in the battle of Mohacs, 1526, against the Turks. The dependent lands of Lusatia, Silesia and Moravia passed at the same time. Excepting the brief rule of Frederic [§ 11] and the revolution-time of 1848-'9, Hungary and Bohemia have ever since obeyed the Hapsburg sceptre. It must be said, however, that Hapsburg was during and long after Ferdinand's day obliged to share Hungary partly with the Turks, partly with Hungarian rivals.

<sup>5</sup> Hussite, called 'utraquist' from its gift to the laity of the communion in both kinds: *sub utraque specie*. Gindely, ch. iii. Nearly all Bohemian protestants belonged to this confession, being neither Lutherans nor Calvinists.

<sup>6</sup> Häusser, II, 86, mistakenly states that the permission was universal, which Gindely, ch. i, disproves.

<sup>7</sup> Gindely [large original], vol. i, ch. ii, best discusses this. The protestants interpreted the constitution as including ecclesiastical lands among royal. Another ominous fact was the administration of the land by a board of seven *Statthalter*, of whom four were catholics.

## § 9 WAR BEGUN: PERIODS

*Ranke*, *Popes*, bk. vii, ch. ii. *Gardiner*, ch. ii. *Villermont*, ch. v. *Gindely*, I, i, ii. *Motley*, *Barneveld*, ch. xiii.

The throne of Bohemia had originally been elective, and the estates endured, expecting soon, on Mathias's death, to choose a protestant king, either the Elector Palatinate or the Elector of Saxony. But before a

Bohemian diet called in 1617, the emperor's lawyers maintained<sup>1</sup> that Mathias's election was exceptional, and partly by specious argument, partly by intimidation, brought the estates to renounce their right of electing a king, and to accept Archduke Ferdinand as their king *by hereditary right*. Such a *coup d'état* was rendered easier in that Ferdinand, bigoted catholic though he was, accepted the royal charter. Bohemia's golden time for opposing Austria was thus lost. The Klostergrab church was soon levelled and protestants excluded from that in Braunau. Revolt seemed the only protestant road to freedom. On May 23, 1618, occurred the famous 'defenstration'<sup>2</sup> of the emperor's representatives in Prag. By this act the protestant leaders in Bohemia proclaimed defiance and invoked war—a war which raged from Alps to Baltic and from Moravia to the Atlantic, a war which, while especially devastating and impoverishing all Germany, involved, the first war in all history to do this, every country of Europe. The years from 1618 to 1648 naturally fall into two main periods, divided by the Edict of Restitution, 1629, the diplomatic intervention of France and the armed of Sweden, 1630. In the first period, predominantly religious, marked by imperial triumph and ended by the subjugation of all Germany, were three phases (1) *the Bohemian*, to the battle of White Mountain, 1620, (2) *the Palatinate*, to the Danish intervention, 1625, (3) *the Danish*. In the second or Swedish-French period, almost solely political, which sees the decline of imperial power, are also three phases, (4) a *victorious* and (5) a *disastrous Swedish*, separated by the death of Gusta-

vus Adolphus, November, 1632, the last ending with the Treaty of Prag, 1635, which virtually renewed the Edict of Restitution, and (6) *the phase of armed French intervention*, extending to the end of the war, 1648.

<sup>1</sup> Gindely, ch. i, sec. 3, admits that all the Hapsburg accessions to the Bohemian crown except that of Mathias alone had been by way of accepting [*annehmen*], not of electing, but notices that this last had as good a right, so far as it went, to become an authoritative precedent as had that of Ferdinand I in 1526. That election was the ancient way all seem to have conceded.

<sup>2</sup> The *Statthalter* Martinitz and Slawata and the Secretary Fabricius were thrown from the windows of the Prag Castle, the 'good old Bohemian custom' for inflicting capital punishment. They fell nearly 60 feet, yet, by a miracle as catholics believed, not one was killed or greatly harmed.

## § 10 ATTITUDE OF EUROPE

*Gindely*, I, iv. *Ranke*, Popes, bk. vii, ch. iii. *Villermont*, ch. xiv. *Gardiner*, ch. iii, sec. 3, ch. iv, sec. 4; Prince Charles and the Spanish Marriage. *Hallam*, Const'l Hist., on reign of Charles I. *Motley*, Barneveld.

His noble subjects being hostile to Ferdinand, elected emperor in 1619,<sup>1</sup> so that no Austrian power was at hand to be mistaken for imperial, we see best at the opening of this war how low imperial authority had sunk. Ferdinand was thrown for resources entirely upon free-will offerings. Spain was his chief support. Philip III, now in fear of death and feeling the whole honor and fortune of his house to be involved in the emperor's success, sent enormous subsidies.<sup>2</sup> Other earnest allies of the emperor were the pope, the League,<sup>3</sup> the Grand Duke of Tuscany, and the King of Poland, the last two his brothers-in-law. Even Karl Emanuel of Savoy, at first reckoned, and inclined to be, a protestant, so soon as disappointed in his hope of election

to the Bohemian crown, offered his services to Ferdinand,<sup>4</sup> as did John George of Saxony while still professing fullest devotion to protestant principles. The motive to these alliances even where least selfish, was not loyalty or political duty, but either religion, friendship, policy, or hatred to some member of the Union. Louis XIII, Bourbon though he was, swayed by his clergy, acted at first, strange to say, favorably to Hapsburg interests.<sup>5</sup> He would allow France to mediate, but not to oppose the emperor. Even Richelieu tried to pacify Hungary. The neutrality of England, whence Frederic V of the Palatinate hoped so much, was still more remarkable. At length a thoroughly protestant nation, the English almost to a man wished to support the revolt, especially as Frederic, now its head, was son-in-law to their king. But James I, infatuated with the thought of a Spanish alliance, feeling the gravity of Frederic's course, which much resembled the individualism and 'fist-right' of the dark ages, and offended at his rash openness to Bohemian advances, would not send a shilling or a man to aid the Bohemian cause.<sup>6</sup> Trifling assistance came from Silesia and Lusatia, sympathy from Denmark and Sweden. Holland<sup>7</sup> was the only ally on whom the rebels could depend.

<sup>1</sup> On the imbroglio at this election, Häusser, II, 98 sqq.

<sup>2</sup> Yet with his ministers, Khevenhiller, Ferdinand's ambassador, labored long in vain and went so far as to threaten peace with protestants, cession of Bohemia and Hungary, Austria to recoup itself with a piece of the Spanish Netherlands. 'Look out for your neck, speaking so,' said Aliaga, Philip's confessor. 'I will gladly die for my master,' replied Khevenhiller, 'but not exchange with you, for your place in hell will be lower than Luther's or Calvin's.'

<sup>3</sup> Maximilian of Bavaria its leader and most earnest member, earnest

to be sure not for strictly imperial interests [§ 13] but for catholicism. The duke had beforehand the emperor's promise of the palatinate electorship in case Frederic accepted the Bohemian election, and of whatever palatinate territory should be conquered in the war. Gindely, ch. iv, sec. 3. But for this promise the war might have ended in 1623. The pope sent subsidies to both emperor and League — strange direction for money to take!

<sup>4</sup> But they were not accepted. Ferdinand did not know how far Karl Emanuel had gone with the protestants, but suspected.

<sup>5</sup> Yet in 1622 he made peace with the Huguenots, in 1623 sent money to German protestants, in 1624 called Richelieu to his councils, which very soon involved resumption of France's traditional anti-Hapsburg policy. Ranke is uncertain whether or not the great cardinal cherished his anti-Hapsburg purpose at first.

<sup>6</sup> The utmost which James could be induced to do was to promise Frederic £25,000 *for defence of the Palatinate* and to mediate a loan for him from the king of Denmark, his brother-in-law. Private parties in England sent £13,000 as a further loan. The young electress Elizabeth, Frederic's wife and James I's daughter, was the mother of Rupert, the famous cavalier in the campaigns against Cromwell in England, where he fought for his uncle, Charles I. He was born just before the battle of White Mountain [next §]. It was through this Elizabeth that the English royal house of Hannover descended from James I.

<sup>7</sup> Elector Frederic V was, through his mother, the grandson of William of Orange.

## § 11 BOHEMIAN PHASE OF THE WAR

*Ranke*, as at § 9. *Gardiner*, chaps. ii, iii. *Gindely*, I, v, vi [cf. his large original, vol. iii]. *Häusser*, ch. xxxii.

This began with victory. Moravia, Silesia, Hungary and the Austrian estates aid, and the imperialists are driven within the gates of Vienna. But this success resulted ill, leading the rebels to underestimate the magnitude of the contest begun. By electing Frederic king they not only invited the emperor's uttermost efforts for vengeance, but alienated friends. Their

army, too small, unpaid, irregularly recruited, poorly equipped and disciplined, lapsed into a mob. The new king,<sup>1</sup> young, rash, fickle and without energy, brought his kingdom neither internal betterment nor foreign allies. His chief advisers disagreed.<sup>2</sup> The Union, about passive all along, dissolved in 1621. On the other hand defeat roused Ferdinand to incredible exertion. Mustering a considerable<sup>3</sup> army, Spanish and Saxon, with that of the League, he breaks the siege of Vienna, pushes back Mansfield and Thurn, and in the battle of White Mountain,<sup>4</sup> 1620, forces Bohemia to sue for peace. The king barely escapes, the charter is declared null, Bohemia loses all vestige of independence. Protestantism was so totally suppressed that the country continues to this day more catholic than Rome.<sup>5</sup> Twenty-seven leaders in the rebellion were beheaded and an equal number spared the same fate only by flight. Seven hundred and twenty-eight nobles suffered total confiscation of property, thirty thousand families left the land and the entire population that had sympathized with the rising was reduced to beggary.

<sup>1</sup> He was but 23 years old, and although pawning some jewels to secure funds for the war, showed little zeal on the whole. He was too Calvinistic and strict, insisted that crucifixes, pictures and the like be removed from churches, etc. Elizabeth too was no favorite while in Prag. A contemporary poet sang of Frederic:

*'O lieber Fries, mein gutt Gesell,  
Lass fahren diese Kron!  
Bereitet ist dir schon die Hell  
Zu einem gewissen Lohn.  
Denn welcher sich erheben thut,  
Fällt tief in den Abgrund;  
Ihm wird vergolten sein Hochmuth  
Wol in der Hellen Schlund.'*

<sup>2</sup> Anhalt, Mansfield and Thurn. They did not act in concert. Thus Mansfield was not present at White Mountain but engaged in the siege of

Pilsen, the chief Bohemian city that adhered to the imperial cause. Gindely, ch. v, at end, alleges that at this time Mansfield was making overtures to League and emperor to accept him into their service. He demanded 400,000 gulden and full amnesty.

<sup>3</sup> All the military operations of the opening war were on a petty scale. Schlick crossed the Austrian border with 4000 men. Mansfield captured Pilsen with but 1800. At White Mountain the protestants had 13,000, the catholics together 24,000.

<sup>4</sup> As the armies faced each other just prior to this battle the men of each amused themselves by calling those of the other names: 'heretics,' 'rebels,' 'countrymen,' 'buffoons' in one direction, 'papists,' 'robbers,' 'incendiaries,' etc., in the other. 'Hogs' was an epithet constantly applied to the Bavarians, and not by the enemy alone. Maximilian asked his court jester how he thought the battle would go. 'Just as at cards,' he replied, 'the *sow* [then the name for the ace] will take the *king*,' i.e., the Bavarians would beat the sham king of Bohemia. The Bohemians tried to engage the Turks in their cause, — without success.

<sup>5</sup> On these terrible proceedings, Gindely, ch. vi, and Reuss, *La destruction du protestantisme en Bohême*, Strassburg, 1867. The Bohemian Brethren, same as the modern Moravians, were driven out at once, the Lutherans a little later. Anabaptists were treated with especial cruelty. The Gneisenau family, from whom sprung the Gneisenau of Ligny and Waterloo fame [Ch. X, § 19], was among the emigrants. At the beginning of this war in the Bohemian county of Glatz not a single catholic church remained, all having gone over to protestantism. When Frederic the Great marched into the county some 125 years later the population was catholic to a man, and in the middle of it stood proudly the Pilgrim Church of Albendorf as a monument to the catholic victory of White Mountain.—Treitschke, *D. Gesch. in XIX Jahrh.*, I, 11. Some estates of banished owners were wholly confiscated, some only in part, the residue to be paid by the government. Payment was made in coins worth only  $\frac{1}{4}$  their face, which were then declared no longer a tender except at their real value. The emperor wished to use the same inhumanity in Lusatia, conquered by John George, as in Bohemia, desisting only when that sluggish prince, much to his credit, threatened active enmity. Tilly is believed to have been purposely slow after the battle, to give protestants opportunity for flight.

## § 12 PALATINATE PHASE

*Ranke*, as at § 9. *Gardiner*, ch. iii. *Gindely*, I, vii [large original, vol. iv.]

Frederic was, without trial, stripped of his lands and his electoral dignity and put to the ban of the empire, 1621, his fellow-electors of Saxony and Brandenburg protesting yet declining to make common cause with him.<sup>1</sup> A slight lull in hostilities was effected by the strong wish of Spain, exhausted and impoverished<sup>2</sup> through her long struggle in the Netherlands, of which for her this new war was the continuation. But, a conference at Brussels toward peace, 1622, having failed owing to the inability of either side to suggest other than temporizing plans, war began afresh, Tilly and Spain on one side, against Mansfield, Christian of Brunswick, the Burggrave of Bade-Durlach and the English General Vere. These last, dividing<sup>3</sup> in the face of Tilly, that unmatched strategist defeated one by one: reverses which Mansfield's subsequent slight success against the Spaniards<sup>4</sup> could not retrieve. Meantime the Diet of Regensburg, 1623,<sup>5</sup> against the will of Saxony and Brandenburg and the solemn protest of Spain's ambassador,<sup>6</sup> sanctions the spoliation of Frederic and bestows his electorship<sup>7</sup> with the High Palatinate upon Maximilian of Bavaria, Spain retaining the Rhenish. The whole Palatinate was forcibly brought back to catholicism, Lusatia passed to Saxony.<sup>8</sup>

<sup>1</sup> His rash act had frightened them. Saxony opposed him also because should he recover Bohemia he would be too contiguous and too powerful, aside from his having two electoral votes, a thing unheard of. The Agreement of Mühlhausen also greatly quieted these electors, League and emperor promising that no protestant Fürst holding secularized property should be disturbed so long as loyal to the empire.

<sup>2</sup> Contrary to common opinion Spain was never a wealthy land. See Roscher, *Pol. Economy*, I, 181. By this time it was far from powerful in any respect.

<sup>3</sup> Partly because they could not agree, partly the better to support their armies on plunder. Vere was left in charge of Heidelberg, Mannheim and Frankenthal. Tilly vanquishes the others, Bade-Durlach at Wimpfen, Brunswick at Höchst, then returns to dislodge Vere. Frederic now dismisses Mansfield and Brunswick, who turn freebooters. Both make their way to Holland, where they are strong enough to force the Spaniards to raise the siege of Bergen-op-Zoom. They then enter and ravage Westphalia. Tilly, unable to drive them out, invades the Lower Saxon Circle, to induce the wavering protestant princes there to side with the empire against those marauders.

<sup>4</sup> The 12-year truce of Spain with the Netherlands agreed to in 1609 was now over, and hostilities had begun again. The operations of that war are mainly indistinguishable from those of the 30 Years' War at large.

<sup>5</sup> It had convened on Nov. 22 of the preceding year. Häusser will not call this or any other 'meeting of the princes' a 'diet,' till 1640.

<sup>6</sup> Spain objected partly out of regard for James I, partly from fear that so violent a measure would indefinitely prolong the war.

<sup>7</sup> On the history of the electorships, Ch. V, § 8, n. 5. The High Palatinate was in what is now northern Bavaria, roughly coincident with the triangle formed by the cities of Regensburg, Nürnberg and Eger. The Lower was the land on both sides of the Rhine about Heidelberg, reaching from Wimpfen on the eastern side nearly to Trier on the western, and northward on the left bank of the river to beyond the Main-mouth. Three-fourths of it were west of the Rhine. Protestants who would not recant were banished. Elector Frederic V died Nov. 17, 1632, eleven days after Gustavus Adolphus. Elizabeth lived 30 years from this time in the Hague, then in England till her death in 1662.

<sup>8</sup> To pay for John George's aid to the emperor.

### § 13 DANISH PHASE: WALDSTEIN

*Gardiner*, chaps. iv-vii. *Gindely*, I, viii, ix. *Häusser*, ch. xxxiii.

The protestant rulers were now thoroughly alarmed,<sup>1</sup> and King Christian IV of Denmark, who as Duke of Holstein was a Fürst of the empire, partly perhaps out

of fear<sup>2</sup> that Gustavus Adolphus would do this, put himself forward as the armed champion of protestantism against emperor and League. Receiving money from Richelieu and promises from England and Holland he crosses the Elbe in 1625 and for one campaign can defy Tilly. But a helper far mightier than Christian had meantime enlisted on the emperor's side, — Waldstein,<sup>3</sup> whose rise was the greatest event in the war thus far, giving Ferdinand an army of his own. Hitherto he had not had this, Tilly being in the service of Maximilian and the League, who, notice, in reality cared for the empire little more than did the protestant chiefs themselves. With one stroke Waldstein<sup>4</sup> crushes Mansfield at Dessau, 1626, so that he reappears no more, then rushes to the defeat already begun by Tilly, of Christian, who is forced to the Peace of Lübeck, 1629, and to abstain henceforth from the quarrel.<sup>5</sup> In the same year 1629 follows the *Edict of Restitution*,<sup>6</sup> the protestants to restore all ecclesiastical property taken since Augsburg and only the adherents of the Augsburg confession to have free exercise of religion. This terrible decree was executed in its own stern spirit, partly by Tilly, partly by Waldstein, now Duke of Mecklenburg and Admiral of the Baltic, holding North Germany with a hundred thousand men.

<sup>1</sup> If the emperor could so summarily dispose of one protestant state he might of another. Besides, in the vain peace negotiations of 1626 Ferdinand and Maximilian would no longer hold out the Mühlhausen promise [§ 12, n. 1] to guarantee secularized bishoprics in present hands on condition of loyalty.

<sup>2</sup> Droysen believes this to have been a strong motive, which Gardiner doubts. Brandenburg and Sweden were negotiating. Christian would of course belong in the Lower Saxon Circle, where Tilly's presence was a

burden and a threat. Charles I of England promised Christian money but could not get parliament to vote it. The Danish king called this the cause of his defeat. A small amount was actually raised by Charles's unconstitutional forced loan, and Sir Charles Morgan sent to Christian's aid with four or five thousand men, not enough to alter the result.

<sup>3</sup> Albrecht von 'Waldstein' [according to Gindely and Oncken the original form of the name, *Hist. Zeitschr. Jahrg.* 1883, 562] was born in 1583 at Hermanic in Bohemia of a Utraquist [§ 8, n. 5] family, and early orphaned. He received education first at the Jesuit school in Olmütz, then in Altdorf, then in Padua, where mathematics and military studies engaged him. He travelled much in the empire and abroad. For services against Venice in 1617 Ferdinand made him colonel and count. Enormously rich by both inheritance and marriage he purchased a vast number of the estates confiscated in Bohemia after 1620. He maintained a more than royal pomp and state. Defence of the emperor from the Hungarians made him a Fürst of the empire as duke of Friedland, 1624. Waldstein began life among protestants but became catholic, William the Silent started as a catholic but turned protestant. On the question of Waldstein's guilt, § 16, n. 5.

<sup>4</sup> With 50,000 men, recruited in the most irregular and illegal manner. Mansfield, the soldier of fortune, flees with a puny force through Silesia to Hungary, hoping for an alliance with Bethlen Gabor, head of the Hungarian protestant revolt. Coldly received he pushes on to Venice, where sickness seizes him and he retires to a village of Bosnia to die.

<sup>5</sup> Later, 1643-'6, Christian even aided the imperialists, envious of the Swedes.

<sup>6</sup> Häusser, II, 123 sqq.; Gardiner, ch. vii. The edict was carried through in Swabia, Franconia, Westphalia and Lower Saxony. Khevenhiller [§ 10, n. 2] believed Richelieu to be the real inspirer of this edict, as well as of the dismissal of Waldstein, later. The catholic victory was complete, except at Stralsund, which, succored from Sweden, Waldstein could not take, and 'every electoral prince, every petty vassal, neutral or belligerent, awaited in anxious suspense the announcement of Ferdinand's terms' [Tuttle].

## § 14 WALDSTEIN'S POLICY

*Ranke, Gesch. Wallensteins. Gindely, II, i. Gardiner as at § 13.  
Schilling, Quellenbuch, 127.*

While Waldstein brought to the emperor independence and sweeping victory, his intervention and policy, under the circumstances, prepared ultimate defeat by alienating the League from imperial interests. 1 Waldstein wished only to punish breach of imperial law and constitution,<sup>1</sup> the League to annihilate protestantism. 2 He forced catholics to help support his army, which the League opposed. 3 He proposed to turn over all lands confiscated in the Lower Saxon Circle to George of Lüneburg, a Lutheran general in his army: the ecclesiastical Elector of Mainz claimed a part. 4 His abstractly most rational but at the same time most impracticable and fatal idea was to recover sovereignty and public power in the empire entirely to the emperor, humbling and subordinating the nobility as had been done in France and England. This thought, along with Waldstein's unexpected triumphs, led Ferdinand, fancying himself another Charles V or Karl the Great, into foolish and wholly illegal measures. He raised money without the diet's sanction, put the dukes of Mecklenburg<sup>2</sup> to ban without process, invested one of his sons with four bishoprics, gave to Jesuits instead of its original possessors most of the property wrested from protestants.

<sup>1</sup> He used to say, 'The devil and hell-fire take the priests' [Häusser].

<sup>2</sup> They were restored to their regular standing and estates by the diet of Regensburg in 1630.

## § 15 GUSTAVUS ADOLPHUS

*Meibold*, vol. ii. *Droysen*, *Bernhard v. Weimar*, bk. i. *Gardiner*,  
ch. iv, sec. 5, ch. vii. *Gindely*, II, ii.

This great king, who had long been waiting<sup>1</sup> to strike a blow on the protestant side, now saw his opportunity. France was renewing against the empire her old pretensions in Italy and had already taken some towns. If the emperor did not yield here Richelieu was certain to support Gustavus. Those protestant chiefs who inclined to be loyal to the emperor and to fear Gustavus as a foreigner, would still side with the latter unless the Edict of Restitution were modified. At this great crisis<sup>2</sup> Ferdinand yielded to his zeal for the church and gave up the last chance which ever presented itself to make the Holy Roman Empire a unit and a power. To his protestant subjects he would concede nothing save the dismission of Waldstein, which the catholics also demanded, while with France he negotiated so ill that Richelieu became an active supporter of Gustavus. Outlook for both parties was now totally changed: Waldstein idle, even the League suspecting the emperor, Saxony at last as well as Brandenburg in arms against him. The protestants on the other hand were for the first time united, led by the ablest captain alive, backed by French money and the diplomacy<sup>3</sup> of Richelieu. In that rich galaxy of great<sup>4</sup> men which illustrates the Thirty Years' War, Gustavus Adolphus is the principal star. *Gustavus rex*, wrote Cardinal Caraffa,<sup>5</sup> *cui parem Suecia nullum, Europa paucos dedit*. His policy—he the first protestant leader to have one

— was positive and constructive, aiming at (1) the dominion of the Baltic Sea, (2) a *corpus evangelicorum*, to be realized if necessary by creating a protestant empire, and (3) the use of Richelieu to the furtherance of protestantism instead of allowing the wily cardinal, as he wished to do and finally did, merely to aggrandize France at Germany's expense. In war the general before whom both Tilly and Waldstein preferred to retreat was even greater than in diplomacy, worthy of the rank assigned him by Napoleon as the foremost captain of all history. He invented a more efficient order of battle for both infantry and cavalry, at the same time making artillery so light as to march and manœuvre with a speed never previously attained. Before his soldiers, moral, conscientious, the best disciplined in Europe, adoring and obeying him and using his tactics, the hireling armies of that age could not stand a moment.

<sup>1</sup> Concurrent motives were i) to avenge the dukes of Mecklenburg, his relatives, ii) to revenge the refusal of his mediation at the Peace of Lübeck, iii) to defeat plans to make the empire a Baltic power, and iv) to pay back Austria for aiding Poland against Sweden [n. 2]. For the just antecedent Swedish history, Häusser, II, 131 sqq. Gustavus inherited from his father three wars, i) with Denmark, neither party being victorious, ii) with Russia, Sweden securing the entire Baltic coast of that country, and iii) with Poland, lasting till 1629, ending with the recognition of Sweden's claim to the whole Baltic coast opposite Poland, and the cession of considerable tracts besides. The Polish king, Sigismund, was Gustavus's nephew, but as a catholic and the brother-in-law of the emperor, he had received active aid from the latter in the war. Promised 1,200,000 livres annually by Richelieu Gustavus lands in Pomerania in 1630, just as Richelieu, leading his army in person, has become master of Savoy and orders an advance on Saluzzo. At first only the Mecklenburg dukes and a few other lords join him. The hesitation of Saxony and Brandenburg, yet hoping for fair terms from Ferdinand, loses Magdeburg

to the protestants, its commandant burning it to prevent its falling into imperialist hands. This decides the wavering electors. Gardiner, 130 sqq., Tuttle's Prussia, ch. iv.

<sup>2</sup> The greatest crisis of the 17th century [Gindely II, 419]. Turning point was the diet of Regensburg, 1630, where Maximilian, acting for the League, succeeded in getting Waldstein dismissed and in preventing the election of the emperor's son as king of the Romans [Ch. V, § 9, n. 2]. Richelieu's hand was in all this. Eggenberg, Ferdinand's minister, urged conciliation of Saxony and Brandenburg at all hazards, but Jesuit influence was against this. See Fagniez [*Rev. hist.*, Jan.-Feb., 1885], *Père Joseph à la diète de Ratisbon*, 1630. Even Breitenfeld did not change a whit the Jesuits' determination to carry through the edict everywhere.

<sup>3</sup> He created a fleet to harass Spain, treated with Holland, Switzerland, Mantua and Parma in the same interest, and planned to stir up revolts in Portugal and Catalonia.

<sup>4</sup> Besides the Swedish king himself, Richelieu, Mazarin, Oxenstierna, and the generals Waldstein [§ 13, n. 3], Tilly, Bernhard, Mansfield, Torstenson, Wrangel, Guebriant, Baner, Horn, Condé and Turenne. Gardiner depreciates Condé, idolizes Turenne.

<sup>5</sup> The papal nuncio who superintended the re-conversion of Bohemia and the Palatinate. For the greatness and deeds of Gustavus Adolphus we must refer to the numberless lives and accounts of him. The best are named in the bibliog. Häusser, II, 152 sqq., is a good brief discussion of the man, his character, career, tactics, etc. Cf. Gindely, II, Appendix. Grotius's *de iure belli ac pacis* appeared in 1625 and Gustavus was wont to carry it with him and sleep with it for pillow. On his use of artillery, 'Artillery,' in Encyc. Brit.

## § 16 THE SWEDISH PHASES

Gardiner, ch. viii, ix. Gindely, I, iii-ix, xi. Häusser, pt. ix. Tuttle, Prussia, ch. iv. Hurter, Wallenstein's 4 letzte Lebensjahre.

I The instant the two northern electors, so dilatory, join him, Gustavus rushes against Tilly, whom he totally defeats at Breitenfeld, the 'Naseby of Germany,' 1631. Then, while the Saxons march on Vienna, he sweeps Franconia, the Palatinate and the great ecclesiastical princedoms,<sup>1</sup> and having separated Spaniards

from imperialists, returns against the latter, opens Bavaria by seizing Donauwörth, forces the Lech in a battle<sup>2</sup> where the great Tilly is mortally wounded, and enters Munich in April, 1632. Ferdinand, trembling in expectation of the Swedes and Saxons at Vienna, restores Waldstein, making him virtually dictator of the empire. Hastily collecting an army Waldstein chases the Saxons from Bohemia, then volts to strike Gustavus. The two terrible chiefs face each other six weeks at Nürnberg, when Waldstein retreats to Saxony, the Swede close behind. In the battle of Lützen, 1632, *Gustavus Adolphus falls*,<sup>3</sup> Pappenheim too, Waldstein's foremost lieutenant, yet victory declares for the Swedes, commanded by Bernhard of Weimar. 2 Dissensions between the Swedes and the Germans<sup>4</sup> render the victory useless and the imperialists assume the offensive. The Swedish Chancellor Oxenstierna, now the political head of the protestants, is disliked by Bernhard, the greatest remaining general. Notwithstanding the loss of Waldstein,<sup>5</sup> whom through well-grounded jealousy Ferdinand lets be assassinated, the imperialists win the terrible battle of Nördlingen,<sup>6</sup> 1634, which divides the Swedes, discourages the Germans and reinstates the catholics in all the South. The Peace of Prag,<sup>7</sup> 1635, gives up the Edict of Restitution though only for the Lutherans and in the North, reconciles Saxony and Brandenburg to the emperor and turns them against the Swedes. The protestants are now again disunited and without heart, their cause once more at nadir. At this point the war quite loses its confessional and religious character and is henceforth political, a mere

continuation of the eternal feud between France and Austria.

<sup>1</sup> Called 'Priests' Lane,' including Würzburg, Bamberg, Fulda, Cologne, Trier, Mainz, Worms, Speyer.

<sup>2</sup> It was at Rain, where the Lech joins the Danube. Tilly was 73 years old.

<sup>3</sup> His last words, 'the world for others.' For this battle, Gardiner, ch. viii, sec. 6. See also in Herm. Merivale's Historical Studies, II. Waldstein had about 18,000 men to Gustavus's 20,000.

<sup>4</sup> On this phase of the war, Droysen, *Bernhard von Weimar*, *passim*. In 1633 Sweden formed the League of Heilbronn with the circles of Swabia, Franconia, Upper and Lower Rhine. Häusser, II, 208, Gardiner, 167.

<sup>5</sup> On Waldstein, besides the works named in the bibliog., see Gardiner, ch. ix; Winter, in *Nord u. Süd*, Mch., 1883, on W.'s Fall; Häusser, II, 213. As to his guilt, see Gindely, *Int.* Old writers think him a traitor. So Schiller, although he could wish that the proofs were stronger. Förster accounts him innocent, unless just at the end when he thought the emperor about to remove him. Dr. Hallwich, the most voluminous writer on the subject, holds the same view. Dr. Schebeck clears him entirely. Ranke thinks him technically guilty, yet honest in his effort to bring catholics and protestants together. Gindely is impressed that the great leader was guilty, but bids us wait till he has published his material.

<sup>6</sup> Gardiner, ch. ix, sec. 5, Droysen, *Bernhard v. Weimar*, bk. iv. The killed amounted to 12,000, prisoners, among them General Horn, to 6000. The emperor's son, Ferdinand, subsequently Ferdinand III, commanded the imperialists. Defeated, the protestant army divided, Bernhard retreating to the Rhine, the Swedes to Pomerania.

<sup>7</sup> This renewed the *status quo* of 1627, thus saving to protestantism most of the northern bishoprics but leaving Halberstadt, the Palatinate and the lands included in the League of Heilbronn [n. 4] in catholic hands. Brandenburg, coolly and nominally Calvinistic, was to be treated as Lutheran.

## § 17 THE PEACE OF WESTPHALIA

*Gardiner*, chaps. x, xi. *Gindely*, II, x. *Bryce*, xix. *Perkins*, as in bibliog. *Ranke*, Civil W. and Monarchy in Fr., vol. i. *Tuttle*, Prussia, ch. iv.

The remainder of the war, its French phase,<sup>1</sup> is replete with interest but as political less within our theme. Richelieu's policy, fully successful, was in general to humble Hapsburg, in particular to extend France to the Rhine and obstruct Spain's road<sup>2</sup> to the Netherlands. As means to these ends he would (1) outwit Oxenstierna, the able guardian of Sweden's interests, (2) support and use the great German and Swedish warriors, yet (3) prevent any of these from becoming so powerful as to crush the emperor or oppose France. Both parties seeing themselves becoming mere tools for building France, thought of peace. With this motive wrought the indescribable poverty and distress of every kind induced by the war.<sup>3</sup> The ecclesiastical provisions of the Peace (1) confirmed the agreement of Augsburg including the *cuius regio* clause, except that save under the Austrian crown alone personal confession and house worship were to be free, (2) placed Calvinists on the same footing<sup>4</sup> with the other two confessions, and (3) fixed as protestant all principalities and ecclesiastical property that had been so on January 1, 1624, except in the Palatinate, where 1618 was to be the normal year. Its political provisions involved (1) the immense enlargement of France,<sup>5</sup> (2) indemnity in imperial money and territory to Sweden,<sup>6</sup> (3) the *de iure* severance of the United Netherlands and Switzerland from the empire and of the Netherlands also from Spain, (4) the extension of several German principalities, mainly at

the church's expense, (5) the confirmation to Bavaria of the Upper Palatinate with the old electorship, a new, eighth, electorship being created for the Lower, (6) *sovereignty for all Fürsten*, involving the right to conclude treaties with each other and with foreign powers, though not against the empire, and (7) the duty of France and Sweden as guarantors.<sup>7</sup>

<sup>1</sup> The elector of Trier having placed himself under France's protection, his lands are seized by Spain, to aid whom Piccolomini, in 1636, pierces Picardy with 18,000 men and threatens Paris, even Richelieu proposing to fall back upon the Loire. But the French rally, and with Bernhard's aid beat back both Spaniards and imperialists. In 1637 the French fleet destroys a Spanish and ravages the coasts of Naples and Sicily. But the main victory of this year, the turning-point in this phase of the war, was Bernhard's at Rheinfeld, where he captures Wörth, the imperialist general, and carries Old Breisach by assault. On his death, soon after, his troops come under French pay and command. In 1640 France wrests Artois and Arras from the catholic Netherlands, in '41-'2 ejects the Spaniards from Savoy, invades Catalonia, takes Perpignan and makes Roussillon French, as it has since remained. Meantime Baner, a second Gustavus, reënforced from Sweden, sets forth from Pomerania, defeats the imperialists at Wittstock in '36, at Chemnitz in '39, penetrates Bohemia and with Guebriant's aid takes Regensburg in '41, diet and all, Ferdinand III [Ferd. II d. in '37] hardly escaping. Baner dies, but the paralytic, Torstenson, surprises Europe by his rapid and brilliant victories at Glogau, Schweidnitz and Breitenfeld in 1642, as does Guebriant by his at Wolfenbüttel in '41 and Kempten in '42. In France, Condé begins his great list of victories by defeating the Spaniards at Rocroi in '43, driving them from the land, and setting free French troops under Turenne to aid Guebriant in So. Germany. Condé and Turenne triumph over Mercy at Freiburg in Breisgau, '44, and take Philipsburg, Worms and Mainz, clearing the Rhine of imperialists. In this same year '44, Torstenson, who had retreated from Moravia before Gallas, volks, smites Gallas at Jüterbogk in Brandenburg, another imperial army at Jankowitz, '45, besieges Brünn, menaces Vienna, and bids Turenne meet him on the Danube. The latter is beaten by Mercy at Marienthal, '45, but with Condé's aid wins, same year, the second battle of Nördlingen, after which, uniting with Wrangel,

Torstenson's successor, winning victory upon victory, he sweeps Bavaria and moves upon Vienna.

<sup>2</sup> Which had always lain through the Rhone and Rhine valleys, in Spanish or Austrian hands.

<sup>3</sup> Gindely, vol. ii, ch. xi, Weber, II, 211 sq., Häusser, II, 276 sq. Germany is said to have lost in this war two-thirds its population. The inhabitants of Augsburg fell from 90,000 to 6000. With many northern towns it fared worse still. Dudik computed that the war destroyed 1976 castles, 1629 towns and 18,310 villages. German manufactures and commerce, till now extraordinarily prosperous since the Reformation, this war so nearly annihilated that they have never recovered. The Hanseatic League [§ 4, n. 1] soon embraced Lübeck, Hamburg and Bremen alone, besides which only Frankfort and Leipzig had much trade. The roads of commerce were unsafe. Money was scarce. The wealthy had removed to other lands, as the Augsburg merchant princes, Fugger and Welser, to Antwerp, and when quiet returned business had established its centres abroad. Destruction of property was worse even than that of life. Schiller, in Wallenstein's Lager, gives a good picture of the barbarism prevalent in the army. Ferdinand III was more inclined to peace with protestants than was his father. He had long been ready to concede all that they wanted but refused French and Swedish intervention. The Swedish victory at Prag [the war ending exactly where it began] decided him. Negotiations were proposed in 1641, opened in '43. The catholic plenipotentiaries met at Münster, the protestant at Osnabrück, both in Westphalia. Encouraged by the war of the Fronde in France Spain refuses to accede to this peace till 1657. The other states sign, Oct. 24, 1648.

<sup>4</sup> Not strictly, since the emperor, for aught that appeared in the instrument, must still always be a catholic. Treitschke, p. 9.

<sup>5</sup> See § 19.

<sup>6</sup> 5,000,000 Thaler, and the lands about the Oder, Weser and Elbe mouths, including hither and most of farther Pomerania, Stettin and its district, Rügen, Wismar, and the secularized bishoprics of Bremen and Werden. All these possessions being still in the empire, Sweden was to have on their account three voices in the diet. Weber, II, 209 sq.

*'Was kostet unser Fried'! O, wie viel Zeit und Jahre!  
Was kostet unser Fried'! O, wie viel Graue Haare!  
Was kostet unser Fried'! O, wie viel Ströme Blut!  
Was kostet unser Fried'! O, wie viel Tonnen Gut!  
Ergötzt er auch dafür und lohnt so viel Verdien!  
Ja.—Wem? Frag' Echo drum.—Wem meint sie wohl?—  
[Echo:] Den Schweden.'*

<sup>7</sup> The Westphalia congress was the file leader of all the subsequent European congresses. Nothing really like it had ever occurred before since the Amphictyonic Council. It introduced into Europe the general political system which still prevails. With it, too, the present great body of positive international law began its growth. Grotius had published in 1622, and the congress as it were enacted his book into an international statute. From this congress, further, date stated diplomatic relations, legations, embassies, etc., between governments. It is a massive ganglion in the nerve-system of history.

### § 18 GERMANY AFTER THE PEACE

*Treitschke, D. Gesch. im XIX Jahrh., I, i. Hanzer, Deutschland nach dem 30-jährigen Kr. Bryce, xix. Gardiner, ch. xi. Lewis, chaps. xviii, xix.*

Thus feudalism had ripened its fruit.<sup>1</sup> The emperor still invested his vassals in old fashion, sitting and covered, still posed as supreme judge. The herald continued at coronations to brandish the imperial sword toward each of the four winds as a sign that all Christendom obeyed the double eagle, to number Lombardy and Tuscany as imperial fiefs, to speak of chancellors for Germany, Italy and Burgundy, and at diets to summon the estates of Nomeny, Bisance and other forgotten lands to vote. But these were now the most idle of forms. Unity and power gone, the empire was hardly even a confederacy, no common treasury, no means of coercion. Diet<sup>2</sup> was as helpless as emperor, its feeble deeds like his, subject to dictation by foreign courts. The individual states alone retained energy, which however, they displayed in petty<sup>3</sup> instead of patriotic ways. Few were the rulers who did not either ignore or fatally misunderstand public interests. Ministers of Fürsten took pensions from abroad. Each of the 329 separate domains had its own absolute monarch<sup>4</sup> with his separate court,

army, coinage and taxes. German national feeling died out.<sup>6</sup> Austria, with which imperial interests and ideas were bound up, grew constantly less German as its power in and by itself increased. Other non-German states, Denmark, Sweden, England, Poland and France, were mixed up with imperial affairs. French influence, speech and letters displaced Spanish and for long no fine literature was composed in German. German history from the Peace of Westphalia to the French Revolution presents barely a single grand character, not one noble enterprise.

<sup>1</sup> 'In France the feudal head absorbed all the powers of the state and left to the aristocracy only a few privileges, odious indeed but politically worthless. In England the mediæval system expanded into a constitutional monarchy, where the oligarchy was still strong but the commons had won the full recognition of equal civil rights. In Germany everything was taken from the sovereign and nothing given to the people' [Bryce]. Cf. Chaps. V, § 10, VI, § 20, n. 4.

<sup>2</sup> Full diet mustered 240 votes, of which temporal Fürsten had 101, ecclesiastical 72, free cities 61, counts and Freiherren together 4, the united prelates not Fürsten 2. Members of the diet [aside from the delegates of cities] were not necessarily immediate vassals of the emperor though most of them held this relation. The *Standschaft* might belong to a dignity possessing no land at all. Till the 17th century the emperor's word was enough to invest such a one with it. See Schulte, 312 sq. Many free cities now lost their independence and their importance.

<sup>3</sup> This littleness took effect in every department of life and thought. The free and creative spirit which ruled literature and theology while Luther and Melancthon were on high gave way to dogmatism and servile reverence for authority and for the letter which killeth. Orthodoxy became a greater word than truth. The reaction was an equally irrational 'rationalism.' Culture went back five centuries. Art perished as if Genseric or Attila had marched through the land. 'In all ranks life was meaner, poorer, harder than it had been at the beginning of the century' [Gardiner].

<sup>4</sup> The 'estates'-legislatures everywhere renounced function or else disappeared entirely. About 57,600 sq. miles of German land belonged to

states of which no one embraced more than 2080. Popular wit ridiculed the stocking-knitting soldiery of the Cologne state, as well as the grim warriors of the bishop of Hildesheim, whose hats bore the legend, 'Grant peace, O Lord, in our days' [Treitschke].

<sup>5</sup> The idea of nationality was linked with that of the empire, now universally regarded an Austrian affair, and between Austria and Germany proper no sympathy could exist. Yet Austria by its own extraordinary power and by the aid of the ecclesiastical principalities, especially Mainz, never found it difficult to retain the hegemony. Frederic the Great boasted that he ignored German and could write French as well as Voltaire.

### § 19 POLITICAL OUTCOME FOR FRANCE

*Freer*, Reign of Henry IV. *Kitchin*, bk. iv. *Perkins*, and *Heeren*, as in bibliog. *Bryce*, xix. *Lodge*, Mod. Europe, ch. xi.

The Thirty Years' War was as epochal in French as in German political history but in a different way. While it annihilated German national unity and power it cemented the French nation more firmly and made France supreme in Europe.<sup>1</sup> To France's struggle of king with feudalism succeeded that between catholic and protestant. The Reformation here, allying itself mostly with nobles,<sup>2</sup> the learned and the wealthy, never became popular as in Germany. Hence, powerful as it for a long time was, it was never enough so to triumph. Yet it availed to bring a long succession of civil wars, with their horrid train of anarchy, poverty and oblivion of national interests, evils upon which Spain<sup>2</sup> and England flourished. Efficient relief first came from the accession, character and sagacity of Henry IV, who through his hold on both parties and by chasing the Spaniards from the land, greatly drew the nation together. Civil wars ceased, economic prosperity returned, Henry could meditate a European league<sup>3</sup> against the Hapsburgs with France its centre. Seiz-

ing, partly creating, this war for opportunity, Richelieu took up Henry's plan and work, with the advantage that as cardinal he could not be suspected of sympathy with protestants, while as aiding their cause abroad he could more freely modify those privileges of theirs under the Edict of Nantes<sup>4</sup> which hindered national solidity and strength. So through Richelieu's adroitness the war yielded France (1) more decided courage, ambition and internal consolidation, (2) territory: Pignerol and other points in Savoy, full sovereignty<sup>5</sup> over Metz, Toul, Verdun, and Alsace Upper and Lower<sup>6</sup> with the administration of the free cities therein, Breisach beyond the Rhine and the right to garrison Philipsburg, (3) practical preponderance over Austria in the empire itself, through its delegation<sup>7</sup> in the diet, its guarantorship of the Peace and its frequent calls to mediate between German states. It is thus clear that the power at home and in Europe of Louis XIV's monarchy had its springs in Henry IV, Richelieu and the Thirty Years' War.

<sup>1</sup> So that from this time France instead of Hapsburg was the power continually feared as endangering the European balance. Ch. X, § 3.

<sup>2</sup> In France so early as 1561 there were 2000 Huguenot churches. Scaliger, Casaubon and the Stephani were protestant scholars. Besides Antoine, K'g of Navarre, and his son Henry IV of France, Condé and Coligny were among the protestant leaders. Political disaffection would often drive great men into the protestant ranks, and such infected to some extent the whole communion with their restlessness and turbulence. It was Richelieu's policy to buy up the Huguenot chiefs with titles and military positions, so as to unite France.

<sup>3</sup> See Baird's Huguenots and Henry of Navarre, James's Henry IV, Freer as above, and Motley's works.

<sup>4</sup> See § 6, n. 7.

<sup>5</sup> See next §.

<sup>6</sup> Hitherto, though under French control since in 1552 Henry II seized them in the Smalcaldic war [Ch. VIII, § 19], these bishoprics had recognized the sovereignty of the empire: The emperor had invested their Fürst-bishops, imperial eagles had been struck at Metz, and cases had been appealed from their courts to the imperial chamber.

<sup>7</sup> How these districts came into Austria's hands, see Ch. VI, § 20, n. 2, and Ch. VIII, § 17, last n. The free cities were Hagenau, Kolmar, Schlettstadt, Weissenburg, Landau, Kaisersberg, Obernheim, Rossheim, Münster and Thüringheim. They were still to remain free and to retain a relation to the empire, yet not exactly as fiefs [n. 8]. In a word, only what was Austria's now passed to France. Strassburg and the district just around it remained in the empire till seized, wholly without warrant, by Louis XIV in 1681. The duchy of Lorraine, except the now isolated French lands of Metz, Toul and Verdun, remained imperial till 1766. On this cf. Freeman's Atlas, plates xxvi, xxvii, xxxiii. The Breisach ceded was Old Breisach, in southern Baden. Philipsburg was in northern Baden.

<sup>8</sup> Ambassadors rather than members in ordinary. France did not acknowledge the vassal-relation to the empire for any part of the territory now acquired, and the language of § 73 in the Treaty all but cedes full sovereignty over the 10 cities as well as over the rest.

## § 20 RELIGIOUS OUTCOME

*Lewis, Bryce, and Gardiner as at § 17. Lane, and Baird as in bibliog.  
All the Histories of Louis XIV and his Times.*

On the other hand the war did much less for France than for Germany toward solving the great European question of the century, how far religious liberty is consistent with the integrity of states. Since the idea of an establishment of religion was then universal, hardly<sup>1</sup> any one yet conceiving the possibility of a solid government based on confessional neutrality, desire for national unity could not but antagonize religious toleration. It was felt that innovators in religious belief must of necessity be traitors. Germany had done the utmost that the ideas of the age could brook, in fixing the geograph-

ical boundaries of the warring faiths, with the right of aggressive dissenters to migrate. Within the principality even in Germany there was nothing worthy the name of religious freedom. The Edict of Nantes,<sup>2</sup> 1598, which only enlarged and confirmed Henry III's agreement of 1576, proceeded upon the same idea as the Peaces of Augsburg and Westphalia, not general immunity to religious dissent but protestant independence in certain fixed localities. Calvinism, intensely political always, scarcely more tolerant than its foe, formed a France within France. Such *imperia in imperio*<sup>8</sup> were certain not to be permanently tolerated in this land, where the spirit of nationality<sup>4</sup> was so much mightier than beyond the Rhine. Not pure cruelty or bigotry therefore, but in part ideas of political policy dictated those heinous measures of Louis XIV against the Huguenots, which culminated in the revocation of the Edict of Nantes, 1685. But by this course, France, like Germany though in a different direction, effected merely a change of evils, buying political unity at the cost of free thought and confession — ultimately the disastrous effects were political too, reaching the very foundations of the state — while Germany received her measure of religious liberty by diminishing her already too little political strength and centralization.

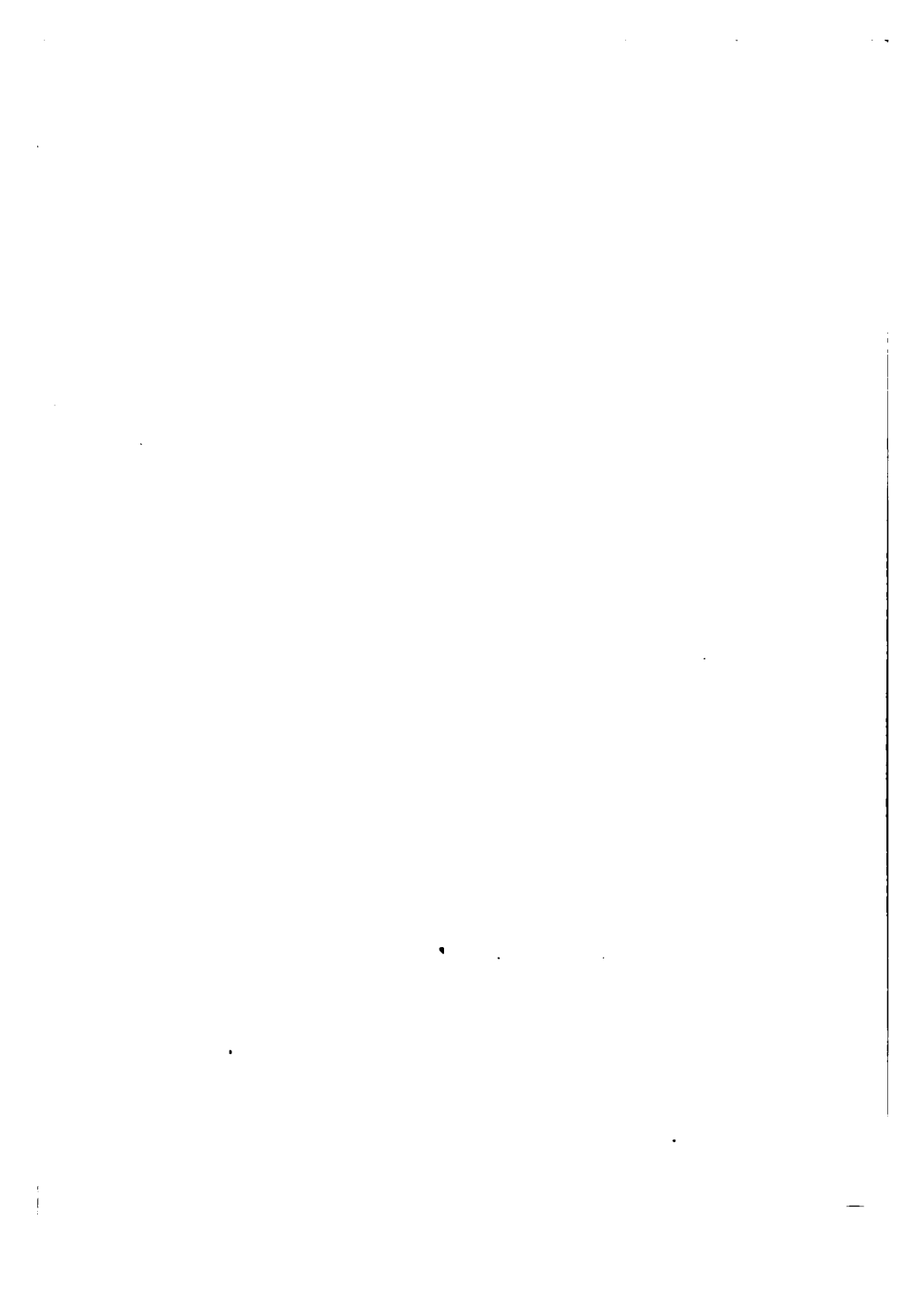
<sup>1</sup> John Ernest of Saxe-Weimar was the first German to suggest the quieting of the fatherland by proclaiming universal toleration. Elector George William of Brandenburg in 1631 expressed the wish that 'at least the private exercise of religion' should be free to all. The turn of the phrase indicates that he was meditating more. 1631 was the year of Roger Williams's settlement in Salem, the German elector's thought doubtless already stirring in his mind, as in Vane's, and in Lord Baltimore's, who wrought it into Maryland's constitution of 1639. Gindely, II, 105 and

n., also n. 2, below. In Roger Williams the idea took in a few years the larger and finer form of an out and out non-confessional state.

<sup>2</sup> By this, nobles possessing high justice [Ch. VI, § 16, n. 1] had full liberty of worship. So in given cities and places had all citizens, but not in episcopal cities, in Paris or within a circle of five miles around, or at the king's court. Calvinists could hold public office, even sit in the Parliaments of Paris, Toulouse, Grenoble and Bordeaux. The edict put in effect, so far, the principle of toleration which chancellor l'Hôpital, 1505-'73, had announced,—in vain so far as concerned his time. But men could not forget it. It not only blessed France while the edict prevailed but outlived the revocation, grew, and inspired the writings of the 18th century and the beneficent acts of the French Revolution.

<sup>3</sup> Huguenots had their own institutions of learning and political assemblies, their towns special protestant garrisons, not of royal troops. They were suspected of aiming at entire independence from France. Their strength and strongholds were in Languedoc, making catholics fear a new Albigensian revolt.

<sup>4</sup> This is why the sieges of Rochelle and Stralsund terminated so differently, the French city succumbing, the German successfully defying the central power. Rochelle made a desperate defence, the inhabitants being reduced to a diet of skins and boiled parchments. The aged duchess of Rohan lived three months on horseflesh. More than half the population died, only 154 men-at-arms remaining. With this city fell the Huguenot power. Yet neither Richelieu nor Mazarin thought of revoking the edict of Nantes, a criminal blunder reserved for Louis XIV, who had Philip II's blood in his veins. 'When your Majesty called me to his councils I can truly say that the Huguenots divided the state with you. The nobles conducted themselves as if they were not subjects, and the governors of provinces as if they were independent sovereigns. Foreign alliances were despised, private interests preferred to public, and the dignity of your Majesty so abased that it could hardly be recognized. I promised your Majesty to use all my industry and power to ruin the Huguenot party, lower the pride of the nobles, lead all subjects to their duty and to restore the country's name among foreign nations.'—Richelieu's *Testament politique*, pt. i, ch. i.



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## CHAPTER X

### THE FRENCH REVOLUTION

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#### THE NEWEST POLITICAL HISTORY

*Maine*, Popular Government. *Bancroft*, U. S., vol. vi [last ed.], 472 sqq. *Contemp. Rev.*, Nov., 1884, 650 sqq. *Harrison*, as in bibliog. *Bryce*, 435 sqq.

THE political history of the last hundred years betrays four leading tendencies: 1 A constitutional. Absolutism, which till the American Revolution<sup>1</sup> was universal and supreme, has gradually given way, no longer existing in any state of first rank. Monarchy has been dispensed with by many peoples even as to its form, others retain its form only, in the rest its old power is gone. Civilized lands are now ruled in unprecedented measure for the people as well as more and more by the people. Serfs and slaves<sup>2</sup> have been freed, suffrage enormously extended. 2 A centralizing.<sup>3</sup> This movement is less general than the above, being mainly confined to the United States, Germany and Italy, though manifested also in the foreign conquests of England, France and Chili, but scarcely less rational or beneficial, since modern means of communication immensely facilitate the unifying of large and widely separated bodies of men. 3 A race-national. This, which, observe, in some cases antagonizes<sup>4</sup> the last, appears in the new prominence assumed by the element

of blood-relationship in determining the boundaries of states. The nation political inclines more to coincide with the nation as thing of race. Here too, next after Ireland, Germany and Italy best illustrate, and this not only by their recent but also by their prospective history. The German empire bids fair in the end to embrace German Austria, as Italy Italian, Elsass-Lothringen strives<sup>5</sup> to be French again. 4 A non-confessional.<sup>6</sup> Men have been coming to view religion more clearly as separable from politics, to see that various religious faiths can dwell harmoniously under the same constitution. Witness especially France, England and America. In Germany, Austria, Italy and Spain the idea is equally active, though for various reasons not yet so victorious.

<sup>1</sup> Before this event not a constitution in the sense of the word now usual, existed. At present, only the Czar and the Sultan rule in the old fashion, and even they are forced by public opinion local and ecumenical, diligently to consult the popular weal.

<sup>2</sup> Of civilized lands only Spanish America and Brazil retain slavery, and in both laws exist which are rapidly working its extirpation. Nearly all the emancipation edicts and statutes of modern times have been uttered since the opening of the French Revolution. Roscher, *Pol. Economy*, I, 224.

<sup>3</sup> Including i) the enlargement of the territories ruled from a single centre, and ii) the strengthening of the central authorities in nations. Steam and telegraphic communication have aided this tendency. Railways and telegraphs explain why our generation has witnessed the rise in Germany of the first solid central government in all history. But for them the United States could not be permanently and strongly ruled as a single nation, and the victory of central government in the Civil War would have been in vain.

<sup>4</sup> Tendency 2 would have maintained Austrian lordship in Italy, keeps Elsass-Lothringen German, and urges Austria and Russia to appropriate the Balkan peninsula. Tendency 3 has nearly expelled Austria from Italy

and promises to do so entirely. Which will prevail over Elsass-Lothringen remains to be seen. Of course 2 prompts France to get, as Germany to keep, these districts, yet 3 is the force which will recover them to France if this ever occurs. Tendency 3 shows itself in new attention to languages. Magyar has become the official and literary tongue in Hungary, Tscheck is acquiring like dignity in Bohemia, Servian in Servia, Bulgarian in Bulgaria and Roumelia, Roumanian in Roumania, Polish in Galicia.

<sup>6</sup> Cf. Ch. IX, § 20.

## § 2 IMPORTANCE OF THE FRENCH REVOLUTION

*Morley*, Voltaire, also his Rousseau. *Taine*, Ancient Regime. *Sybel*, bk. I.  
*Harrison*, as in bibliog. *Van Laun*, ch. i.

This new and strongly marked historical period began for Europe with the French Revolution, an event epochal almost without parallel. Whatever opinion be held of its character<sup>1</sup> in other respects, no one can question the importance of this Revolution in shaping political ideas and affairs since. Its significance does not lie in the mere facts that France, from a condition of abject weakness which made her the scorn of Europe, suddenly roused, changed her form of government, and in so few years forced a continent to her feet, her empire surpassing Charlemagne's in size, recalling that of Augustus. It resides rather in the irresistible will first revealed in all this against monarchical, feudal and ecclesiastical oppression and unreason, against a decayed, inefficient and inexpressibly burdensome public system. It was passion for a rational public order, educated and developed, in part perversely, by a series of able and trenchant French writers,<sup>2</sup> and fired to frenzy by Bourbon tyranny, stupidity and immorality, that was the proximate cause of the brilliant deeds referred to, as well as in turn their most lasting and benign result.

Only from this its central character can the French Revolution be justly judged. If it is viewed thus its errors and excesses may be explained and partly condoned, as the inevitable friction generated in producing a great and worthy piece of work against fearful resistance. To know the remoter causes of this gigantic social upheaval, glance at the condition of society<sup>8</sup> in France under the dying regime.

<sup>1</sup> Janet, *Philos. de la Rév. Française*, Harrison, as above. One hears and reads still the most divergent views not only of the Revolution but also of its leading characters. Compare, for example, Taine's and Stephens's [the two newest writers] view of Marat. Michelet, Morley and Blanc are the least compromising defenders of the Revolution, though of course criticising much that attended it. Many who inveigh against it really accuse only its excesses, horrible indeed. But there are able writers, like Taine and Sir Henry Maine, evidently not believing in government by the people, who reprobate the Revolution itself, believing that whatever good it may have brought could have been attained without it. For a criticism of Taine's position, *Rev. historique*, Jan.-Feb., 1885, 118 sqq. In this hostile mode of viewing the great movement Burke's Reflections led the way, swayed too much in their judgment of it as a whole by the fate of the unfortunate lady who had so impressed the author when in France. 'It is now 16 or 17 years,' he says, 'since I saw the Queen of France, then the Dauphiness, at Versailles; and surely never lighted on this orb, which she scarcely seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she just began to move in, glittering like the morning star, full of life and splendor and joy. Oh! what a revolution! and what an heart must I have, to contemplate without emotion that elevation and that fall!' Similarly Sir James Mackintosh's *Vindiciae Gallicae* introduced the appreciative criticism of the Revolution, whose freshest note Frederic Harrison has sounded in saying: 'The history of our entire 19th century is precisely the history of all the work which the Revolution did leave. The Revolution was a creating force even more than it was a destroying force; it was an inexhaustible source of fertile influences; it not only cleared the ground of the old society but it manifested all the elements of the new society. Truly we may call the Revolution the crisis of modern reconstruction: —

"When France in wrath her giant limbs upreared,  
And with that oath which smote air, earth and sea,  
Stamped her strong foot and said she would be free."

<sup>2</sup> Those, among others, mentioned in § 8.

<sup>3</sup> The very best brief discussion is Ducoudray, ch. i, drawn in considerable part from Taine, *Ancien Régime*. Read also Taine himself, and Buckle, H. of Civ. in Eng., vol. i, chaps. viii-xiv.

### § 3 MONARCHY

*Bancroft*, U. S., vol. v, 264 sqq. *Morris*, i. *Carné*, Louis XIV and L. XV. *Philippson* [in Oncken], *Zeitalter Ludwigs XIV*. *Buckle*, Civ. in England, ch. xiv. *Poole*, Huguenots of the Dispersion. *Kitchin*, bks. v and vi. *Blanc*, bk. ii, ch. vi. *Michelot*, *France*, vols. xiii-xv. *Martin*, do., vols. xiv, xv. *Burke*, *Reflections*, pt. i, § 2. *Lodge*, *Mod. Europe*, ch. xiii.

Though Louis XIV's tyranny in other things must at last have brought down his power from the dizzy height it attained through his earliest wars,<sup>1</sup> it is significant that decline first became pronounced after he had revoked the Edict of Nantes, 1685. From this act, setting 'at naught all the rights consecrated by edicts and by the long patience of those protestants whom Mazarin had called the faithful flock,' came dire results, partly internal, partly external. The reformers by hundreds of thousands carried<sup>2</sup> into England, Holland and Brandenburg their industries, skill, capital and bitter resentments. Protestant rulers, indignant, opened their doors, feeling themselves insulted, as well as menaced in respect to their faith and the stability of their thrones. By the next two wars, France, fighting her own sons,<sup>3</sup> and fatally feeling the swords of William of Orange, Marlborough and Prince Eugene, was left 'exhausted, gasping, at wits' end for men and money. Absolutism had obtained from national pride the last possible exertions, but had played itself out in the struggle.' So

long as Louis XIV lived, such was his personal force, such the memory of his deeds, that the monarchy retained appearance of considerable solidity. Not so in Louis XV's reign,<sup>4</sup> decadent throughout in consequence of his vices, impotence and subservience to every faction. Depraved women directed the state, to foolish alliances and fatal wars. Immense territory<sup>5</sup> was lost. Frederic the Great laughed at the thought that France could effect aught by protesting against the partition of Poland.<sup>6</sup> At home, nothing was done to unify the people, interest them in the government or develop national resources, but everything tended mightily in the contrary direction. In such ruin was France at the accession of the well-meaning Louis XVI,<sup>7</sup> that, had this monarch been a second Richelieu instead of the cipher he was, his effort to preserve the old monarchy must have proved about equally vain.

<sup>1</sup> The first, the war of 'devolution,' 1667-'8, secured him [Ch. IX, § 3, n. 4, end] 12 fortified places on the Belgian frontier, including Lille and Tournay. In this Louis was maintaining the claim of his wife as daughter of Philip IV of Spain by a first marriage, to inherit against a son by a second. The second war, 1672-'8, was against Holland, aided by the empire; England, Sweden and some German states allying themselves with Louis. The ensuing Peace of Nymwegen, 1678, gives Louis nothing from Holland, but Franche Comté and 12 new Belgian towns from Spain, and Freiburg from the empire. The process of 'reunion' was this. French courts decided what the last four Peaces had given France, and the king executed the decisions with troops. Under this slim sanction Louis seized Strassburg, and occupied Luxemburg, Treves and Lothringen, the empire being too weak to oppose. His third war, 1688-'97, for alleged possessions in the Palatinate, roused all Europe against him, England too, under Wm. III, its king from 1689, and not only yielded him nothing, but cost him the first loss of French territory since Richelieu, viz., Pignerol and all the possessions which 'reunion' had taken from the empire. This, as King William's W., extended to America. L.'s fourth war, 1701-'14,

over the Spanish succession, the Queen Anne's W. of American hist., weakened France the most fatally. The question was whether the grandson of Louis or the son of Emperor Leopold I should be king of Spain on the death of the childless King Charles II. The French prince took possession. To maintain the European balance of power, i.e. avert the threat of union between France and Spain under one crown, England and Holland went to war for the Austrian claimant. Twice Louis was ready to make peace but the allies proffered too severe terms. Meantime, the Austrian candidate having become emperor by the death of his father and older brother, the interest of the balance of power favors the French occupant, who is confirmed as Philip V of Spain, the coalition against him breaking down. But while the P. of Utrecht, 1713, gives Spain to Philip, it conveys the dependencies of Spain: the Netherlands, Milan, Naples and Sardinia, to Austria, and ordains that the crowns of Spain and France shall never be united, as they never have been. Marlborough and Prince Eugene of Savoy were Louis's great military antagonists in this war. Blenheim, Ramillies, Malplaquet and Oudenarde the famous battles. Von Noorden, *Europäische Gesch. im XVIII Jahrh., Abth. I*, is the great auth. on this war

<sup>2</sup> Cf. Poole, H. of the Huguenots of the Dispersion.

<sup>3</sup> A regiment of French refugees, led by Schomberg, fought at the battle of the Boyne, July 1, 1690, against James II, whom Louis XIV's troops were supporting. The like occurred on many another field here and there in Europe.

<sup>4</sup> 1715-1774, the Regency of the Duke of Orleans lasting till 1723. L. XV was great-grandson to Louis XIV, the son of an older brother of Philip V of Spain [n. 1]. Pressed by his minister to attend to affairs of the state he would retort, 'Bah, the crazy old machine will last out my time and my successors must look out for themselves.' 'Unhappy man, there as thou turnest in dull agony on thy bed of weariness, what a thought is thine! Purgatory and Hellfire, now all too possible, in the prospect: in the retrospect, — alas, what thing didst thou do that were not better undone? what mortal didst thou generously help? what sorrow hadst thou mercy on? Do the 500,000 ghosts who sank shamefully on so many battle-fields from Rossbach to Quebec, that thy Harlot might take revenge for an epigram, — crowd round thee in this hour? Thy foul Harem; the curses of mothers, the tears and infamy of daughters? Miserable man! thou hast done evil as thou couldst: thy whole existence seems one hideous abortion and mistake of Nature.' — Carlyle.

<sup>5</sup> All French America, by the French and Indian War, 1756-'63, a

phase of the 7 Yrs. War in Europe. Ninety-five per cent of France's territory in India also went to England by this war, founding England's power in that country. Louis XV had failed in two wars before this one, i) 1733-'5, to keep his Polish father-in-law, Stanislaus Leszcinski, on the Polish throne, ii) the W. over the Austrian succession, 1740-'8, in which he sided with Karl Albert of Bavaria against Maria Theresa. Cf. Ch. XI, § 6, n. 1.

<sup>6</sup> The first of the three partitions, that of 1772, between Russia, Prussia and Austria. Russia and Prussia made a new division, 1793, and all three powers again in 1795, the last appropriating Poland entire.

<sup>7</sup> Louis XVI was L. XV's grandson. Louis the Dauphin died before his father, leaving several children, of whom Louis XVI, Louis XVIII and Charles X became kings. Who was Louis XVII? The young son of Louis XVI and Marie Antoinette, abused to death [1795], at 10 yrs. of age by his revolutionary keepers.

#### § 4 NOBILITY

*Taine*, *Ancient Regime*, bk. i. *Sybel*, '*der alte Staat u. Rev. in Fr.*' in *Kl. hist. Schr.*, vol. iii. *Domol*, *La Rév. fr. et la féodalité*.

Monarchy in France had thrust feudalism from first place but had not destroyed it.<sup>1</sup> At a hundred points it was as oppressive in the eighteenth century as ever. Immense estates were the rule. Of the twenty-seven million inhabitants of France in 1789, nobility comprised but eighty-three thousand, yet one-fifth of the land was in their hands.<sup>2</sup> They appointed to all offices and emoluments on their domains; all confiscated property, also all to which owners or heirs were wanting, abandoned estates, etc., fell to them. Almost as extensively as of old, the lord *owned* the land. Even the royal domains encompassed by his, were themselves virtually his. Of rivers not navigable, islands, fish, wrecks, etc., he was sole proprietor. For purposes of hunting, even the private enclosures of others, if in his jurisdiction, had to be opened at his word. His game

could eat vassals' crops with impunity, vassals' grain must be ground at his mill, for a toll of one-sixth, one-sixth the price of land sold went to him, and so on. Besides, large numbers of nobles were heavily pensioned at public expense. But worst was that neither state nor people got the slightest return for all this.<sup>8</sup> Nobles enjoyed almost total exemption from taxation; as a class they were ignorant and entirely unpatriotic; most, neglecting their lands and local duties, idled away their time at court or in town, caring nothing for their tenants save to bleed them. Yet, insolent and burdensome in equal degree, the more worthless they became the more stoutly did they insist on their full feudal rights over and against the people.

<sup>1</sup> Ch. VI, § 20.

<sup>2</sup> I.e.,  $\frac{3}{5}$  of the population owned  $\frac{1}{3}$  of the land. The clergy and nobles had  $\frac{2}{3}$  of all the land, the nobles alone  $\frac{1}{3}$ , the clergy alone  $\frac{1}{5}$ .

<sup>8</sup> v. Sybel, vol. i, 24 sqq., Taine, *Ancient Regime*, bk. ii.

## § 5 CLERGY

*Sybel*, bk. i, ch. i, bk. ii, ch. iii. *Taine*, *Ancient Regime*, bk. i. *Morris*, l. *Ducoudray*, 46 sqq. *Burke*, *Reflections*, pt. i, § 1.

Though nearly half the soil in France belonged to the church, this was but a part of the immense wealth wherewith the piety of twelve centuries had endowed it. The main income went to seven or eight hundred abbots,<sup>1</sup> a hundred and thirty-one bishops and archbishops. These exalted clergymen, mostly from noble families, were quite as selfish, useless and tyrannical as their relatives not in orders. As a rule each abbot took two-thirds the revenue of his foundation, leaving the monks to starve upon the rest. Bishops spent their

incomes in extravagance if not in rioting, farming their lands to heartless agents, who screwed from the hapless tenants their uttermost sou. Many a powdered ecclesiastic kept an establishment, which, with its palace, plate and equipages, could vie in splendor with Versailles itself. The *Château de Saverne*, residence of Cardinal de Rohan, Bishop of Strassburg, whose kitchen utensils were of solid silver, had seven hundred beds, a hundred and eighty horses were in its stalls.<sup>2</sup> Under these clerical magnates, so worldly and haughty, crouched the great horde of parish priests, living on the scantiest pittance that would sustain life, and striving, disinterestedly in the main, to minister to the people's spiritual welfare. Hardest for these faithful souls was not the meagreness of their own support, but the sight of the irremediable poverty around them and the necessity put upon them by their superiors, whom they dared not disobey, of perpetually wringing the mites from their already poverty-stricken parishioners.<sup>3</sup>

<sup>1</sup> There were also some 280 nunneries. The exact number of these religious houses is not known. Not all the abbots were so selfish, some sharing their incomes. There were convents occupied by 4 or 5 monks each, which enjoyed from 30 to 40 thousand livres apiece yearly [the livre = about  $\frac{1}{8}$  a pd. sterling] without bestowing a farthing in charity. Ducoudray, 43.

<sup>2</sup> This gentleman was also abbot of Noirmoutiers and Saint-Waast, and pocketed 7 or 8 hundred thousand livres of rent. It was he who was so unfortunately involved in the necklace affair with Marie Antoinette. See Carlyle's Essay, and Blanc, vol. ii, ch. ii. Brienne, Archbishop of Toulouse, realized 678,000 livres of revenue, i.e., nearly £52,154. Some ecclesiastics fared less sumptuously, and a great part of the iniquity lay in this. Cardinal Fleury was at first bishop of Fréjus, and so poor that, it is said, he used to entitle himself 'bishop by the divine wrath.'

<sup>3</sup> Read Voltaire, 'The Country Vicar,' in *Dictionnaire philosophique*.

§ 6 THE THIRD ESTATE<sup>1</sup>

*Domol, Hist. des classes rurales. Darvste, H. des classes agricoles. Taine, Ancient Regime, bk. v. Young, Travels in France, 1787-'9.*

This comprised the body of the population, including what is now sometimes called the 'fourth estate.' The moral and financial hope of France lay in the middle class, third estate in the narrower sense: lawyers, professors, physicians, business men. Of late, partly through John Law's<sup>2</sup> costly demonstration of the power of credit, this portion of society had acquired greater riches than ever. From plebeian millionnaires almost alone could kings and princes borrow. As France's best financiers, also out of interest in the state, heavily their debtor, these men became students of politics and, so far as permitted, active therein. Outdoing the nobility in culture and intelligence as well as in ready wealth, always in requisition for those public tasks which required special training, skill and versatility, they naturally chafed under the discriminations, social and in respect to political power and burdens, made against them. 'What,' asked Siéyès,<sup>3</sup> 'is the third estate? Everything. What has it been till now? Nothing. What does it ask for? To become something.' But the poor fourth estate had the most to complain of. Nine-tenths of the population possessed no property, in some provinces even serfdom lingered yet. The poverty of all was terrible. Oats, buckwheat, bran, formed the entire diet of many thousands, in mountainous parts whole communities lived on chestnuts, while pork and goat-flesh were rare delicacies, to be

tasted by the most favored perhaps at Christmas. Houses were thatched and without windows, floors of earth. Multitudes went barefoot in midwinter. Bread riots were continual. Frequent famines filled cities with beggars: in 1753 over eight hundred died of cold and hunger in Paris alone.<sup>4</sup> Intellectually the masses fared no better, ignorant parish priests being their sole instructors.

<sup>1</sup> The French Revolution was the victory of the third estate. Cf. Ch. VI, § 16, and the lit. there named, esp. Guizot and Blanc.

<sup>2</sup> A Scotchman who secured permission of the Regent in 1716 to open his Royal Bank of France, and to issue paper money to ten times the amount of the public debt. The Bank had a lively discounting business, the monopoly of tobacco and of the Louisiana trade [succeeding to the Mississippi Co.], the rights of the old East India Co. and the handling of all national taxes. Shares were in enormous demand, rising from the par, £500, to £18,000 apiece. The notes were better than gold, and their abundance, raising prices, diffused everywhere the appearance of prosperity. Failure came of course, the 'Mississippi Bubble,' as it was called, bursting, but this abuse of credit taught France a good lesson touching its use. Lalor's *Cyclopædia*, vol. i, 230, ii, 737, Blanc, vol. i, bk. ii ch. vii.

<sup>3</sup> In his famous pamphlet on the Third Estate. It did for the Fr. Revolution what Tom Paine's *Common Sense* did for the American.

<sup>4</sup> And the nobility, how unfeeling! Duchess de Polignac was amazed that people were so clamorous for bread when nice cakes were to be had for four sous each.

## § 7 ECONOMICS

*Sybel*, bk. ii, ch. iii. *Blanc*, vol. iii, ch. i. *Young*, as at § 6.

The above evils were largely referrible to an altogether vicious and irrational economic system, public and private. The Bourbon kings would hear nothing of thrift,<sup>1</sup> let public power be shamefully abused for the promotion of class interests. I In every department

of the state's service offices were sold, numberless ones being created on purpose to be sold. They were often made hereditary, often carried with them patents of nobility and valuable immunities. 2 The incidence of taxes, even apart from the sweeping and unjust exemptions above noted, was as bad as it could be : still worse if possible, the method of collection, viz., the old Roman one of farming. 3 Guilds and corporations of the most arbitrary and tyrannical sort, created and nourished upon the monstrous principle of Henry III, 'the king alone can grant the right to labor,' fettered commerce in a thousand ways. Abolished by Turgot in 1776, they speedily rose anew to a more vigorous power for mischief than before. 4 All manner of restrictive laws upon trade wrought in the same direction. So-called protective tariffs were laid, upon domestic imports from province to province, as well as upon foreign. Salt<sup>2</sup> had to be bought of government, at double or treble its value, a given amount for a family whether needed or not. New inventions, new methods of industry were spurned. 5 These and other abuses depressed agriculture the most. One fourth of the arable land in France lay untilled, the agricultural system was still that of the tenth century. Roads were few and wretched. Laws forbade the export of agricultural produce. Neither landlord nor tenant was interested in maintaining fertility of soil. The whole policy of government toward the rural population was such as to discourage industry and economy. Taxes were of about every conceivable nature, collected with a greed as of harpies. Trifles like door-latches were attached by tax-

agents, and mites seized that had been gotten by begging. The peasant with bread must eat it in secret or be additionally taxed as getting too rich.

<sup>1</sup> See Ad. Vuitry, in *Rev. d. deux Mondes*, Dec., 1883, 748 sqq., Stephens, II, xii. To build the water-works for Versailles 20,000 men toiled 2 years. During the 5 peaceful years after the war with Holland the *grand monarque* increased his annual public expenses 545 million livres, while the annual net income was only 463 million, adding to the debt 82 million yearly. This deficit went on swelling. Cf. § 9, also Blanc, vol. i, bk. iii, ch. iii. v. Sybel, vol. i, 30 sqq., emphasizes a topic often overlooked, the *economic* benefits flowing to France from the Revolution.

<sup>2</sup> This salt burden was called the *gabelle*. At least 7 lbs. of salt per person a year must be bought, besides extra for any general purpose, as curing meat. Prices of salt varied with provinces, from 8 to 32 shillings a lb. Smuggling was universal. There were 10,000 culprits yearly for infraction of the *gabelle*, 500 hung and 500 sent to the galleys. Cf. Van Laun, I, 31 sq. 'In Normandy one could each day see wretches who had no bread, seized, sold, and executed for not buying salt.'—Ducoudray.

## § 8 THOUGHT

*Taine*, Ancient Regime, bks. iii, iv. *Morley*, Voltaire, also his Rousseau. *Grimm* [in essays], 'Fr. and Voltaire,' 'V. and Frederic Great.' *Blanc*, vol. i, bk. iii, chaps. i, ii, vol. iii, ch. ii. *Martin*, as at § 3. *Rousseau*, *Contrat social* [vol. 10 of *Wks.* in Eng.].

Protestantism was still illegal in France, the church outwardly one. Yet a most vigorous spirit of protest everywhere prevailed, against whatever stood upon mere authority or tradition, partly religious, caused, among much else, by the manifest failure of Christianity, as the church administered it, to liberate men's souls or purify their lives, and partly intellectual, a stronger love for nature, science, the present life, than the church approved. Revelation was discarded, reason declared the supreme guide. Along with these ideas went a new, more liberal mode of political thinking, proceeding from

the great writings of Montesquieu,<sup>1</sup> admirer of the English constitution. Also France was now reaping the fruit of that still more negative bent of thought introduced by Locke's<sup>2</sup> philosophy, from the first ardently studied here, with especial attention to its materialistic bearings. Condillac set aside reflection as a source of ideas, Helvetius<sup>3</sup> reduced virtue to egoistic hedonism. La Mettrie and Maupertius, the latter in the famous *Système de la nature*, advanced a materialism coarser yet, decrying belief in God, freedom and a soul separable from the body, as baseless and mischievous vagaries. Voltaire's unbelief, deism,<sup>4</sup> and at first Diderot's, was more moderate, yet the *Encyclopédie*,<sup>5</sup> their organ, seemed to reason away 'law from the state, freedom from morality, spirit and God from nature.'<sup>6</sup> But the philosopheme most influential now, this too in part a heritage from Locke, partly also from Hobbes though originally from the Stoicism incarnate in the Roman law, was the conception of a 'law of nature.' It dominated Rousseau's writings. The ideas of a state of human nature<sup>7</sup> anterior to society, of society as a contract, and of the natural rights of man, were phases of it. The new economic doctrine of Physiocracy<sup>8</sup> it permeated completely. Embodying deep and inspiring truth<sup>9</sup> it blinded men to its radical falsity. And even the good thinking of the period was too abstract and *apriori*, morbidly reliant on formulæ, theories and 'victorious analysis.'<sup>10</sup>

<sup>1</sup> The years of the declining monarchy were rich years for thought in all spheres. Montesquieu, 1689-1755, in his *Spirit of the Laws*, weighs the advantages of all the different forms of government, with the view of displaying the superiority of constitutionalism. The work greatly influ-

enced Mirabeau and all the moderates of the Revolution. For the inf. of English thought on French, see Buckle, *Civ. in Eng.*, vol. i, ch. xii.

<sup>2</sup> From the fundamental Lockian principle, *nihil est in intellectu quod non fuerit in sensu*, Condillac, 1715-'80, logically and correctly deduced pure sensationalism in philosophy, causally deriving our intellectual powers and stores, in a word, our entire inner life, from sense-activity. Locke's English pupils have sought to deny the legitimacy of this deduction, but without success. Plainly, however, Locke did not himself see this materialistic implication of his theory, failing to distinguish clearly between sense as the *cause* of knowledge and sense as the *occasion or condition* of knowledge. Leibnitz's *Nouveaux Essais* and esp. Kant's *Critique of the Pure Reason* correct Locke at this point, demonstrating the total powerlessness of sense to give aught more than the crude matter of knowledge, whose *form*, or character as knowledge, proceeds entirely from the action of mind.

<sup>3</sup> Helvetius, 1715-'71, followed the thought of Condillac into its ethical bearings, making virtue to consist solely in pleasure, in such conduct as shall yield to the individual subject in question the utmost satisfaction [not necessarily low gratification].

<sup>4</sup> The doctrine which admits a personal First Cause but denies revelation and miracle.

<sup>5</sup> In 28 vols., prepared on purpose to discuss all the great matters of human interest in the light of the new ideas. Diderot, 1712-'83, was editor-in-chief. He revised all the articles and wrote many. D'Alembert, 1717-'83, the great mathematician and physicist, was the next most important contributor. Voltaire, Rousseau, Grimm, Dumarsais, d'Holbach and Jancourt each wrote more or less.

<sup>6</sup> Yet the negative and destructive in this tendency stopped far short of what might have been predicted from the execrable abuses prevalent in both state and church, conditions which should temper our judgment even of such then existing skepticism as we cannot, after all excuse. Two parties urged ideas which were visionary indeed, yet in a sense constructive: i) The Physiocrats, wishing in whatever efficient mode, to free the individual from the terrible tyrannies and limitations besetting him. ii) The Socialists, intent more on mere change of rulers, government by the people. Voltaire spoke for those, Rousseau and his disciple Robespierre for these.

<sup>7</sup> Hobbes's *Leviathan* is the classic for this doctrine, a doctrine which appears also in Locke, and in some form in all the political philosophizing of the 17th and 18th centuries. It inspired the English Revolution

of 1688 and the American Revolution, as it did the French. Even Burke uses it while in effect seeking to refute it.

<sup>8</sup> For this, see 'Physiocrates' in Lalor's *Cyclopædia*, and Blanqui, H. of Pol. Economy.

<sup>9</sup> There is a sound sense in which one may speak of a 'state of nature' and of man's 'natural rights,' viz., that which makes these expressions synonymous respectively with 'rational condition' and 'liberties accordant with the general good.' However convenient in popular exposition sometimes to contrast nature and culture [or civilization], the two are in no wise antagonistic, the truly cultivated man being even more than the savage in a state of nature. Cf. Maine, *Anc. Law*, iv, Voltaire, '*La loi naturelle*' [*Oeuvres* vol. xii], '*Droits des hommes*' [*Dict. philos. Oeuvres* xxix], '*Nature*' [*ib.* xlii].

<sup>10</sup> Carlyle's favorite phrase for this pedantry or 'philosophism.'

## § 9 APPROACH OF CRISIS

*Carlyle*, vol. i. *Stephens*, I, iii, xii. *Herm. Merivale*, in *Hist'l studies*, 'Precursors of the Fr. Rev.' *Blanc*, vol. ii.

Several influences more specific than the above were at work in various ways toward a revolutionary result. 1 Frequent issue of *lettres de cachet*,<sup>1</sup> by which persons obnoxious to the king were imprisoned in the Bastille without trial. 2 Increasing use of *lits de justice*,<sup>2</sup> whereby the king nullified the quasi-legislative power of the Parliament of Paris to 'enregister' or to refuse enregistry. 3 Fickleness and general weakness of Louis XVI, who, sincerely desiring reform and the people's good, through lack of firmness and of a policy lent ear now to one party, now to another. 4 Distrust and dislike of Marie Antionette as Austrian and as suspected of using her influence in France to the advantage of Austria. 5 Hunger and enforced idleness,<sup>3</sup> rendering the populace, especially in Paris, desperate, and open to the plots of demagogues like the Duke of

Orleans. 6 Successful revolution in America,<sup>4</sup> which the French had aided, bringing back much of its spirit. 7 Frightful public debt and increase of yearly deficit, financial trouble<sup>5</sup> that reached back to Louis XIV's extravagance and costly wars. After the American campaign the arrears equalled nearly half the yearly revenue. In 1787 a deficit of 198 million francs, credit being exhausted, placed the state at the verge of bankruptcy. Various schemes of reform had been moved, the most radical among them being that of Turgot, Louis XVI's earliest and greatest minister. He introduced free trade, better modes of raising taxes, and a broader participation in political rights. Opposition was instant, fierce, universal, and after an administration of about eighteen months, Turgot was dismissed, a martyr to the *ancien régime*, nearly all his innovations collapsing at once. Necker, less radical, brought to the government credit rather than real financial betterment, yet introduced enough of Turgot's policy to invoke upon himself Turgot's fate. Calonne began with prodigality, struck perforce into the path of his predecessors and fell like them.

<sup>1</sup> Sealed warrants of arrest, proof against all habeas corpus proceedings. It is said that one keeper had received 50,000 of these. Under Louis XIV and L. XV the Bastille was crowded [§ 11, n. 1]. See '*Cachet, Lettres de,*' in Lalor's Cyclopædia. The famous man in the iron mask was among these state prisoners, — probably [yet no one knows] count Ercole Matthioli, of Mantua, who had deceived Louis XIV in a secret treaty. He died after 24 years of imprisonment, Louis commanding his face to be mangled that his identity might never be made out.

<sup>2</sup> Bastard d'Estang, *Parlements de France*, I, xii, also, same topic, Voltaire, *Oeuvres*, xlii. Cf. *ante*, Ch. VI, § 18, n. 4, and Ducoudray, 22 sqq. On the abasement of this Parliament now, v. Sybel, vol. i, 508.

<sup>3</sup> See § 6, also Taine, *Revolution*, bk. i. The duke of Orleans was the

father of Louis Philippe, who was made king of the French in 1830. He was Louis XVI's cousin, although voting in the Convention for the latter's execution. He was also a bitter enemy to Marie Antoinette. His nickname, Philip Egalité, was from his incessant protestation of regard for equality. Spite of this the Convention suspected him of aiming at the crown, imprisoned him April 8, 1793, and guillotined him the next November. His nature was weak, and schemers used him in working their ends. He is believed to have instigated the mob of Oct. 5, 6, 1789, to leave Paris and attack the Versailles palace. Stephens, I, vii. Mirabeau and Lafayette have been charged with this, but unjustly.

<sup>4</sup> Rosenthal, *America and France*, Bancroft, U. S., vol. vi, 32 sqq. This tremendous influence of America was exerted by the common soldiery, military and naval officers like Lafayette and Rochambeau, travellers like Chastellux, Brissot de Warville, Mazzei, and most of all by the American thinkers, Barlow, Paine, Jefferson and Franklin. Franklin impressed his ideas upon all classes, learned and common people, the sober and the frivolous alike. The quaintness of his dress and manners, his sagacity and good sense, his calm firmness and high principles evoked universal admiration. Everything became *à la Franklin*: snuff-boxes, stoves, dishes, ornaments, furniture. Franklin's portrait was in every house. Pres. A. D. White summarizes the American influences as i) familiarity with the notion of revolution, ii) impartation of strength to French ideas of liberty, iii) practical shape given to the conception of equality, iv) practical combination of liberty and equality into republican and democratic institutions, and v) an ideal of republican manhood [Washington, Franklin]. 'Borne over the Atlantic to the closing ear of Louis [XV], King by the grace of God, what sounds are these; muffled-ominous, new in our centuries? Boston Harbour is black with unexpected tea; behold a Pennsylvania Congress gather; and ere long, on Bunker Hill, DEMOCRACY announcing, in rifle volleys death-winged, under her Star Banner, to the tune of Yankee-doodle-doo, that she is born, and, whirlwind-like, will envelope the whole world.'—Carlyle.

<sup>5</sup> Blanc, vol. ii, ch. v, Lalor's *Cyclopædia*, vol. ii, 737, Ducoudray, ii. Turgot, who, Malesherbes said, 'had Bacon's head and l'Hôpital's heart,' like so many other reformers, too little considered how slowly genuine reforms have to move. Adam Smith often met Turgot and learned much from him. Turgot proposed abolition of exemptions, a land tax, and the general application of physiocratic ideas ['Physiocrates' in Lalor]. The queen was the bitterest foe to all retrenchment: she did not wish Louis to 'play the *bourgeois*,' as economizing was styled.

## § 10 STATES-GENERAL AND CONSTITUENT ASSEMBLY

*Taine*, *Rev.*, bk. ii. *Stephens*, I, i, ii. *Morris*, ii. *Ducoudray*, ii, iii. *Aubrey-Vitet*, *États-généraux avant 1789*, in *Rev. d. d. Mondes*, Jan., 1883. *Michelot*, *Précis*, ch. i. *Blanc*, vol. ii, chaps. vi-viii, vol. iii, chaps. iii, iv.

The Parliament of Paris, declining to enregister edicts for a stamp tax and equality of impost, appealed in 1787 to 'the Nation, represented by the States-General,' as alone competent to grant the king the extraordinary subsidies now needed to save the state. Herein the magistrates voiced a feeling, little definite, still strong and universal in France, that this ancient assembly, hailing from the days of Philip the Fair, and formerly<sup>1</sup> wont to be convoked at every specially critical turn in national affairs, was the sole power on earth able to cure the land's appalling ills. Necker, recalled in 1788, finding the treasury totally empty, fell in with this conviction and among his first acts induced the king to decree a session of the states-general to convene early in 1789. Each province was to forward with its deputies a list of complaints and instructions. France rung with discussions of abuses and of plans for remedy. Men felt that the era of popular liberty was dawning. Two capital questions were the most hotly debated, whether the third estate should have double representation, and whether voting should be by estates or by heads. The former Louis decided affirmatively,<sup>2</sup> the latter, left to the assembly itself, occupied and distracted all the earlier sittings, nobles and clergy insisting upon voting by estates.<sup>3</sup> This scheme, which would have insured perpetuity to all the old abuses, the third nobly resisted. Their first decisive step, the inaugural

act of the French Revolution, came on June 17, when, nobles and most clergy obstinate, king fickle as ever, they, *arrogating supremacy in the state to their constituency, the people*,<sup>4</sup> declared themselves the National Assembly, calling upon the other estates to join them. These were soon forced to yield. In this triumph Siéyès led, his more radical, democratic, ideas now steadily gaining in ascendancy over the tremendous influence<sup>5</sup> and more conservative, royalist liberalism of Mirabeau. The Assembly assumed the title 'Constituent,' taking oath not to separate till France had a constitution. The king's command to disperse, to return to action by estates, though coupled with largest concessions on other points, was heard unheeded, Mirabeau replying: 'We shall yield only to bayonets.'

<sup>1</sup> The last previous meeting had been in 1614, in the reign of Louis XIII. Richelieu was then a member. On the various states-general assemblies that had been held, Thierry, *Tiers État*, vol. i, also, vol. ii, Appendix ii. On the Parliament of Paris now, Ducoudray, 23.

<sup>2</sup> Which of course amounted to nothing unless the other were settled so as to make numbers count. It was like the king to be decided when this would cost him nothing, shirking when decision required sacrifice.

<sup>3</sup> There were 1145 deputies in all: 270 nobles, 291 clergymen, 584 from the third estate. Had voting by estates prevailed, the delegates of the third would have been powerless except in debate, and this would have amounted to little upon any serious issue.

<sup>4</sup> Thus recurring to the most ancient constitution of the Frankish state. See Ch. IV, §§ 9, 10. Except the Declaration of American Independence it was the most decisive political step ever taken by any body of men.

<sup>5</sup> Decrue, *Les idées politiques de Mirabeau*, *Rev. historique*, XXII and XXIII. Cf. Stephens, vol. i, chaps. xi, xiv. Mirabeau was the colossus of those reformers who believed in a constitutional monarchy. He is Mr. Stephens's hero of the opening revolution, 'the one man who showed himself a statesman.' Mirabeau was also a majestic orator and an able financier. But Siéyès was more bold, aggressive, crafty. From Necker, Stephens strips most of his glory as a statesman, but justly.

## § II REVOLUTION BEGUN

*Taine*, Rev., bk. i. *Sybel*, bk. i, ch. ii. *Cherétet*, *Chute de l'ancien régime*, 1787-'9.  
*Stephens*, I, v, *Michelet*, *Précis*, ch. ii. *Carlyle*, vol. i, bks. v-vii.

On the king's reactionary dismissal of Necker, July 11, and his call of Breteuil, steps intended to overawe the Assembly and the demagogues at Paris, the immeasurable slumbering hatred against privileged classes all instantly burst forth. In Paris the mob swept everything before it. The army, even the royal guard, refuses to attack the people, the national guard proves little more efficient. The mob captures and destroys the Bastille,<sup>1</sup> July 14. The king succumbs and will recall Necker. Influenced by La Fayette and Bailly, who wished to defeat the Duke of Orleans's purpose to make himself king, Louis appears in Paris to express to the people his acquiescence in the Assembly and in reform. *The government now passes to the Assembly.* Order could not be created at once. 'The revolt in Paris had produced a general explosion through the whole of France, by which, in a few days, the old political system was destroyed forever. In all the provinces without one exception, the estates, the local magistrates, the civic corporations, the peasants and the proletaries rose in arms. Royal intendants were nowhere to be seen, the parliaments wished to be altogether forgotten, the old courts of law vanished without leaving a trace.' Civic guards were everywhere formed to repress riot, armed from royal magazines. In Caen salt-tax offices were gutted, collectors barely spared. Similar deeds occurred in every prov-

ince. Custom-houses were razed, nobles and unpopular officers of government hung, castles burned, monasteries pillaged, all reminders of the old system expunged. The Assembly, regarding it the sole road to order, hastened to do away with obnoxious institutions by law, in which work the liberal minority of nobles was honorably forward. 'Serfdom, feudal jurisdiction, manorial ground-rents, tithes, game laws, saleable offices, fees, clerical robing dues, municipal and provincial privileges, privileges of rank, exemptions from taxes, plurality of offices and livings—all were swept away in breathless haste in one night.'

<sup>1</sup> A prison, built during Charles V's reign, 1364-'80, and enlarged by his successor. Prisoners were usually not ordinary felons, but men of mark whom some person in power wished to be rid of, victims of court intrigue or of feuds in high families. They were lodged here by *lettres de cachet* [§ 9, n. 1], which were sometimes bought from the king's minister with money.

## § 12 THE CONSTITUTION

*Stephens*, I, ix, x. *Michélet*, *Précis*, chaps. iii, iv. *Morris*, iii. *Taine*, *Revolution*, bk. ii, ch. iii. *Burke*, *Reflections*, pt. ii.

The programme for this was the Assembly's famous Declaration of the Rights of Man, proclaiming the sovereignty of the people, the admissibility of all citizens to public employments without distinction of birth or faith, the freedom of worship, work and the press, the equality of all citizens before the law and in respect to taxation, the absolute authority of the law as the expression of the general will, the protection by it of each citizen's liberty, property and rights, and the full responsibility of the executive power. The constitution

proceeded to reconstruct fundamentally the entire public system of France in accord with these sentiments of 'liberty, equality, fraternity.' By the provisions of this instrument, the old historic provinces of France yielded to departments,<sup>1</sup> these subdividing into districts, these into rural cantons and municipalities or communes. Suffrage was not universal but limited to 'active citizens,' such as paid a tax at least equal to three days' labor. Voters were to elect electors, who should choose deputies to the Assembly, heads of departments, districts and cantons,<sup>2</sup> judges, even bishops and priests. The judicial system was also reformed and juries introduced for criminal cases.<sup>3</sup> The Assembly was made monacameral and given sole initiative, its 745 members to be renewed by biennial elections. Civil marriage was ordained, also the free exercise of religion for protestants and Jews, as well as equality of these with others in all civil privileges. The lands of the church were sold,<sup>4</sup> a 'civil constitution of the clergy'<sup>5</sup> enacted, monastic vows and most ecclesiastical orders done away. These ecclesiastical innovations, cursed by the pope, evoked from the clergy obstinate opposition, the first decided check which the Revolution had encountered, greater even than was occasioned by the accompanying abolition of nobility. Most remarkable, under this new constitution the king became the mere instrument of the people's sovereignty, the executor of the Assembly's edicts, his influence in legislation about null, limited to a suspensive veto for two Assemblies.<sup>6</sup> The system had place for a king but no need of one.

<sup>1</sup> 83 departments, 574 districts, 4730 cantons. Venaissin, added to France in 1791, formed the 84th department, that of Vaucluse [about

Avignon]. The departments of the Rhone and the Loire, separated later, then formed but one. That of Tarn-et-Garonne was created in 1808, making 86. The annexation of Nice and of Savoy in 1859 raised the number to 89, the loss of Alsace-Lorraine in 1871 reduced it to 86 again. Division into departments had been thought of before for the provincial assemblies, and Ile-de-France had been divided, into 12 departments, smaller of course than those of 1790. This departmental division is found also in most of the regulations of 1787 for the organization of provinces, and the name everywhere serves to designate a fraction intermediate between the province and the electoral district. The name *arrondissement* [at present applied to the district] appears also at the same epoch as designating a subdivision of the department. Ducoudray, 107.

<sup>2</sup> But communes were to be governed by councils elected directly by the 'active citizens,' the primary electors.

<sup>3</sup> Though not in civil, where questions of law and questions of fact could not be kept apart. There was to be a criminal court for each department, a civil for each district, justices of the peace for each canton, and a supreme court of appeal or cassation, last resort on questions of law. The arrangement to elect judges instead of their appointment by the king sprung from wish totally to separate judicial, administrative and legislative functions.

<sup>4</sup> The assembly ceded the lands to the communes, then issued bonds ['assignats'] payable by the communes and secured by the lands, selling these assignats in open market or directly paying off with them holders of the state debt. Assignats were usually in denominations of 100 francs [\$20] but some were smaller. They bore no interest and were made a legal-tender currency. This led to over-issue, and this to depreciation. Blanc, bk. xiv, ch. iii.

<sup>5</sup> The new constitution made every department a diocese. The bishops were divided into 10 groups, at the head of each of which stood a metropolitan bishop. No bishop was to be confirmed by the pope, canonical investiture proceeding in each case from the metropolitan. The system was quite analogous to that of the Kirk of Scotland. As to ritual and doctrine priests who took the constitutional oath were left to themselves. Many of them kept the old forms, but most married and modified their beliefs, so that, after Robespierre [§ 15], when churches were re-dedicated to Christian worship, virtual protestantism predominated, usually under the name of old catholicism. But for Napoleon's concordat with Pius VII, France might have become a protestant country. Stephens, I, x.

<sup>6</sup> I.e., for four years, each Assembly like each of our Congresses existing two years. Strictly, as it could only postpone, it was not a veto at all.

### § 13 POLITICAL GROUPING

*Taine*, bk. iv. *Michelet*, *Précis*, ch. v. *Blanc*, vol. v, ch. v, also bk. vii. 'Camille Desmoulins,' *Westminster Rev.*, July, 1882. *Stephens*, I, iv, viii.

Success in revolution rendered political thought active, heated and energetic beyond all precedent. The issue between the old order and the new gave way to that between monarchy and republicanism, then this to strife between moderate and extreme republican factions. Of clubs<sup>1</sup> there were: 1 *The Feuillants*,<sup>2</sup> constitutional monarchists, La Fayette and Bailly at head. 2 *The Jacobins*, republicans, of every stripe, including first or last all the great revolutionists. This club had branches throughout France, was the acknowledged and efficient organ of the party, creator of public opinion, with more power than the legislature itself. For months at a time it was the *de facto* sovereign of France. 3 *The Cordeliers*,<sup>3</sup> anarchists, nihilists, red republicans, led by Danton at first, then by Hebert. Of parties the Legislative Assembly, which succeeded the Constituent, was divided into: 1 *The Extreme Right*, greatly attached to the king yet loyal to the constitution. 2 *The Right*, men from the middle ranks of society, moderate royalists, friends of the constitution but inclined to ally themselves with the old privileged classes and hostile to popular rule. The leader of these was La Fayette. Both Right and Extreme Right were Feuillantists. 3 *The Centre*, consisting of timid and insignificant<sup>4</sup> members and usually voting with

4 *The Left*, the Girondists,<sup>5</sup> who were earnest republicans, devoted to the Revolution even at the expense of the constitution, opposed to privilege and favoring popular government yet insisting that this be strong and regular. Here stood Roland, Vergniaud, Brissot, Condorcet and many other of the ablest and best men. 5 *The Extreme Left* or 'Mountain,'<sup>6</sup> ultra-republicans, approaching nihilism, made up of a few Cordeliers with the increasing number of extreme Jacobins. Under the Convention the Feuillants disappeared and deadly struggle was joined between Gironde and Mountain. As it advanced four marked types of republicanism shaped themselves, represented respectively by *Roland*, pure Girondist, *Danton*, now become relatively conservative, *Robespierre*, socialist yet believer in public order, and *Hébert*, downright nihilist. In the terrible war of these factions for supremacy, the Gironde fell first, then Hébert and his colleagues at the other extreme, last Danton, leaving Robespierre victor, dictator of France.

<sup>1</sup> Taking their names from the convents in whose halls they had their respective headquarters. The Jacobin centre was the old convent on *rue St. Honoré*, the Cordelier-convent stood on the left bank of the Seine, and what is left of it serves as laboratory for the faculty of medicine of the University. The enclosure of the Feuillant-convent occupied the space now lying between *rue St. Honoré* and the terrace of the Tuileries garden, still known as the *Terrasse des Feuillants*. The buildings were destroyed in 1804 to make place for the *rue de Rivoli*. Ducoudray, 126. Adequate treatment of these clubs would have to be dynamic, as, like all else in France then, they were in constant movement as to spirit and tendencies.

<sup>2</sup> These were till July, 1791, a branch of the Jacobins, seceding [under the influence of the eloquent Barnave] because more conservative than the main body. The original organization began in 1789 as royalist, supporting Philippe Egalite [§ 9, n. 3], Louis Philippe being for a time door-keeper of the Paris chapter. On the growth of the Jacobins, Taine,

bk. iv, ch. ii. There was a club at Marseilles by the end of '89, one in each large town by the middle of '90, in August of this year, 60, 3 months later 100, in March of '91, 229, in August nearly 400. Recruits rapidly multiplied after the Feuillant secession, July, '91: in 2 months 600 new clubs, by the end of September these amount to 1000, in June, '92, to 1200, at the abolition of monarchy, Sept. 21, '92, to 26,000. Yet Taine is of opinion that the total enrolment at no time exceeded 300,000. It was their discipline which made them so powerful.

\* These too, at first, a mere sect, exceptionally radical, of the Jacobins. Danton believed in using terror to save the country, but when this was attained favored moderation. Desmoulins's Old Cordelier was the able exponent of Dantonist views now, against Hebert and his ruffians, representing the new or advanced Cordeliers. But Danton and his set were infidels and free and easy as to conduct, while Robespierre was a sincere deist and affected purity and even austerity in morals. Stephens calls Danton 'the great practical statesman of the second period of the Revolution, the one great man who perceived the necessity for a strong government to re-establish order.'

† Hence nicknamed 'Plain,' 'Swamp,' 'Belly,' 'Flats.'

‡ So called because their chief representatives were from the Gironde department. Taine sees little more good in these men than in their murderers. Madame Roland is to him nothing but a vain and self-deluded creature.

§ Named from their high seats in the Legislative Assembly. The Mountain comprised the last three republican factions mentioned, Robespierre as well as Danton and Hebert. On Robespierre's treachery to Danton, v. Sybel, vol. iii, 296. He uses D. to help make way with Hebert, then sentences Danton as well. He rides out with D. after signing the decree for his execution. On Robespierre's religious belief, same as Voltaire's, see v. Sybel, vol. iii, 271, 279, and Lewes, L. of Robespierre. By long effort he persuaded a majority of the Jacobins to declare for belief in God and providence. On his death, Blanc, vol. xi, ch. vii.

## § 14 POLITICAL FORCES AND CURRENTS

*Taine*, bk. iv. *Sybel*, bks. iii, iv, viii, ch. iv. *Van Laun*, vol. i, end. *Blanc*, vols. x, xi.

The Gironde was able, eloquent, patriotic, and had a majority in the Assembly, but was 'unable to appe-

hend the fearful nature of the crisis, too full of vanity and exclusive party-spirit, and too fastidious to strike hands with the vigorous and stormy Danton,' the only man who could have helped it to popular power. 'The Mountain represented the suffering populace, eager, defiant, weary of negotiation, suspicious of treason at every point, and zealously determined to push the principles of the Revolution to their limits, ready for war, come what might, quite honest and narrow, a very dangerous and powerful party.'<sup>1</sup> The Mountain won swift victory, but in order to this, had to yield in disgraceful degree, a necessity which both Danton and Robespierre inwardly regretted, to the terrible nihilistic rage of Hebert and his Parisian mob, arch enemies of order, who viewed the Revolution merely as the appointed opportunity to plunder the rich. The influence of these Nihilists on the course of events before Hebert's fall was as immense as it was baneful. Their method, persistently used and about always successful, was brow-beating in debate, and, this failing, intimidation through murder, riot and robbery. The odious secret Committee of Public Safety,<sup>2</sup> whose Reign of Terror so long dictated France's destinies, took orders mostly from them. The more moderate leaders themselves had fatally little idea<sup>3</sup> of the nature of free institutions and, mere theorists as they too nearly were, still less of the means to the attainment of them. 'O Liberty,' said Madame Roland from her scaffold, 'what crimes men commit in thy name!'

<sup>1</sup> Kitchin. The Mountain and the 'Commune' were not the same, except in spirit, the latter being only a Parisian affair. Strictly it was the city of Paris governmentally considered, though the term is often made

to convey a bad sense, as if denoting partly or exclusively the mob. 'Communism' is an economic title and has no connection with 'Commune.' The Terror commenced June 1, 1793, when *Assembly surrendered to Commune*, giving up by a sort of Pride's Purge, 80 of its Girondist members.

<sup>2</sup> This Committee was created April 6, 1793, composed of 9 members, Danton, Cambon and Barrère the chief. In June St. Just, St. André, Couthon, Robespierre and Carnot were added. A Revolutionary Tribunal, or Star Chamber, was also erected, of which the Com. of Public Safety had charge, and this duplex arrangement extended to every Commune in France. Girondists wished to trust royalist plotters like other criminals to the ordinary processes of law, but Mountain and Commune would not. Using this summary procedure ultra revolutionists were enabled to secure membership or influence in the Tribunal and wreak vengeance on whom they would. But when schism broke out among the fire-eaters themselves their fine devices proved happily efficacious engineering for their own overthrow. On Paris as the Workshop of the Rev., Stephens, I, iv.

<sup>3</sup> 'The Constituent Assembly deliberately refused to consider man as he really was, and persisted in seeing nothing in him but the abstract being created in books. Consequently, with the blindness and obstinacy characteristic of a speculative surgeon, it destroyed in the society submitted to its scalpel and to its theories not only the tumors, the enlargements and the inflamed parts of the organs but also the organs themselves, and even the vital governing centres around which the cells arrange themselves to recompose an injured organ.' Taine. His arraignment of the Legislative Assembly, republican, is correspondingly severer.

## § 15 MARCH OF THE REPUBLIC<sup>1</sup>

*Michelot, Précis*, chaps. ix, xi, xiv sqq. *Morris*, iii-vii. *Blanc*, vol. iv, bk. iv, ch. vi, bk. v, vol. v, bk. vi, bks. viii sqq.

i *The Legislative Assembly*,<sup>2</sup> 1791-1792. The Gironde, furnishing the ministry, directed affairs at first, intent upon vigorous war<sup>3</sup> against the emigrants and their allies. Ill success in the Belgian campaign, France being invaded and Paris threatened, overthrows the ministry, whereupon, the king calling Feuillants once more to office, the horrors of August 10, 1792, ensue.

Priests are massacred, the king is suspended and imprisoned and all power thrown into radical hands. The Jacobins are now on high, Marat calling loudly for traitors' heads, Danton for '*de l'audace, de l'audace, encore de l'audace*' against the invaders. This inspiring cry checks the tide of defeat, Dumouriez being victor at Valmy on September 20th. Next day assembles, ii *The National Convention*,<sup>4</sup> 1792-1795, which at its first session proclaims France a republic. Radicalism goes mad with this victory. King, Queen, and Duke of Orleans are executed, as well as many Feuillants and even Girondists. The Terror.<sup>5</sup> Woe now to any one venturing so much as to whisper of moderation. Christianity is proscribed, the worship of Reason ordained, commerce paralyzed by the excess of assignats. Civil war rages in la Vendée. A new calendar<sup>6</sup> and a new constitution<sup>7</sup> are devised. Saint-Just and Couthon with and under Robespierre form a 'triumvirate,' ruling France with worse than Bourbon arbitrariness and cruelty. Reaction: Robespierre falls,<sup>8</sup> anarchy is checked, even the Mountain becomes conservative, Dantonists and the Gironde gradually return to power. The 'Thermidorians' close the Jacobin clubs, open churches and seek to restore public tranquillity, now threatened mainly by royalists again. With the constitution of 1795, the year III, comes in the moderate government of iii *The Directory*, 1795 to end of 1799. Task, to guard the Republic from anarchists, now desperate, and, harder yet, from the monarchists, who were daily increasing and, as represented in both Councils and at length in the Directory itself, more hopeful and insolent. These

extremists aside, there was general apathy as to politics and wish for peace at any price. Spite of the Directory's best efforts<sup>9</sup> internal disorder was terrible and constitutional rule impossible. The *coup d'état* had to be used, first against royalists, then against republicans. The press throttled, all Europe threatening, France sighed for rest and prepared to return, with the Consulate, to absolutism.

<sup>1</sup> 1789, States-general meet, May 5; *serment du jeu de paume*, June 20; destruction of the Bastille, July 14.

1789-'91, CONSTITUENT ASSEMBLY.

1791, Mirabeau dies.

1791-'92, LEGISLATIVE ASSEMBLY.

1792, War with Austria and Prussia; abolition of monarchy, Sept. 21.

1792-'95, NATIONAL CONVENTION.

1793, King executed Jan. 21, queen Oct. 16, Com. of Public Safety begins Ap. 6.

1793-'4, Robespierre and the Terror.

1794, Robespierre executed July 27 [the 9th of *Thermidor*, hence 'Thermidorians' as name of those who take him off].

1795, The Dauphin [Louis XVII] dies June 8; Napoleon quells the Babeuf mob in Paris, Oct. 5.

<sup>2</sup> The Constituent had most unfortunately passed a self-denying ordinance which forbade any of its members to sit in this. Also no one who had been a member of the legislature within two years could serve as king's minister.

<sup>3</sup> Which the Mountain opposed, to distract ministry and king, and when, after defeat in the field, Louis exchanged obnoxious ministers for those still more obnoxious, riot and blood resulted. Among the most violent insurgents were 500 young soldiers from Marseilles, recently come to Paris. From them the *Marseillaise*, whose refrain:

*Aux armes, citoyens! Formez vos bataillons!  
Marchons! Marchons! qu'un sang impur abreuve nos sillons.*

<sup>4</sup> In this sat Tom Paine, the quondam American pamphleteer. The Englishman, Dr. Priestly, was elected but declined serving. Paine voted nay on the question of executing Louis.

<sup>5</sup> On the Terror, June 1, 1793-July 27, 1794, see Ternaux, *Hist. de la*

*Terreur*, Taine, bk. iv, chaps. xi, xii, bks. v sqq., Blanc, vols. x, xi, ch. iv. Pitt was, and by many still is, believed to have instigated these excesses in order to make revolution odious. v. Sybel doubts. The victims to the Terror during its 420 awful days are computed at 4000, at least 900 being women and children.

<sup>6</sup> 1792 was the year I, and it began on Sept. 22, the autumnal equinox and the day after the abolition of monarchy. The three months, of 30 days each, next following this date were *Vendémiaire* [vintage-month], *Brumaire* [fog-month], *Frimaire* [frost-month]. The next three, beginning 90 days later, were *Nivôse* [snow-month], *Pluviose* [rain-month], *Ventôse* [wind-month]. The next three, beginning 180 days from Sept. 22, were *Germinal* [bloom-month], *Floréal* [flower-month], *Prairial* [meadow-month]. The last three, beginning 270 days from Sept. 22, were *Messidor* [harvest-month], *Thermidor*, [hot-month], *Fructidor* [fruit-month]. This calendar has been Englished thus: 1st quarter, Wheezy, Sneezy, Freezy; 2nd quarter, Slippy, Drippy, Nippy; 3d quarter, Showery, Flowery, Bowery; 4th quarter, Wheaty, Heaty, Sweety. Three 'decades' a month took the place of the four weeks, and in each the days were to be *Primidi*, *Duodi*, *Tridi*, *Quartidi*, *Quintidi*, *Sextidi*, *Septidi*, *Octidi*, *Nonidi*, and *Decadi*. Every *Decadi* was to be a day of rest. The five supplementary days to fill out the year were called *sans-cullotides*.

<sup>7</sup> Rotteck and Welcker's *Staatslexicon*, s. v. 'Frankreich,' has a good brief account of these revolutionary constitutions. There are many collections of the texts. This second constitution never went into effect. The third one, that of the year III, introduced an executive Directory of 5 members, and a Legislature consisting of a Senate or Council of 250 Elders with power of revision, and a lower Council of 500 with initiative,  $\frac{2}{3}$  of both Councils to be elected from the members of the Convention. It was this limitation which occasioned the Babeuf riot of Oct. 5, 1795, put down by Napoleon. Fleury, *Babeuf et le Socialisme*, Stephens I, vii.

<sup>8</sup> Blanc, vol. xi, ch. vii, bk. xiii.

<sup>9</sup> Improving the finances by substituting for the assignats [ $\S$  12, n. 4], 'mandats' [each one of which formed a direct title to a given, limited quantity of land], suppressing Babeuf on the one hand and royalist risings on the other, and winning glorious and unprecedented victories in foreign war [ $\S\S$  17, 18].

## § 16 KING AND EMIGRANTS

*Michelet, Précis*, chaps. vi-ix. *Sarah Tytler, Marie Antoinette. Gower, Last days of do. Sybel, Correspondence of do.* [Kl. h. Schr., II]. *Arneht, Briefwechsel der M. Antoinette.*

Early in the struggle most nobles, shorn of privileges and distinction and feeling no longer under obligation to France, 'emigrated.' Not content with this many of them exerted themselves to secure an invasion of France by foreigners to restore the monarchy. By this, in the eyes of France and under strict construction of the law in fact, they became traitors.<sup>1</sup> Should the king side with these as urged by his queen, brothers and court,<sup>2</sup> or with France? For long, under Mirabeau's<sup>3</sup> influence, he pursued, honestly we can scarcely doubt, the latter course, accepting the constitution and repeatedly swearing the civic oath. Had he possessed ability and decision as well as honesty and kindly feeling, he might possibly have kept at the head of the movement, prevented reform from becoming revolution, and erected in France a sound constitutional monarchy. To such a work Louis XVI was unequal. The Assembly's high tone, and especially its severe measures toward the clergy, embittered him and inclined him more and more, despite constant indecision, which was, doubtless wrongly, construed as hypocrisy, to cast in his lot with the emigrants. He corresponded with them, attempted flight<sup>4</sup> to their camp, and invoked aid from the monarchs<sup>5</sup> of Europe, all which was regarded at Paris as treason. Special incitements to severe procedure against him were (1) his numerous vetoes<sup>6</sup> of the Assembly's decrees, (2) his dismissal of the Girondist

ministry, Roland, Dumouriez and their colleagues, (3) the attitude of Marie Antionette,<sup>7</sup> known to have a constant understanding with emigrants and hostile courts, (4) conventions between the sovereigns of Austria and Prussia looking toward intervention in French affairs, and (5) the actual invasion of France by the Duke of Brunswick with an army of foreigners and traitors. Repulse of this army emboldened the republicans to proclaim defiance of Europe by summoning the king to trial. Six hundred and eighty-three out of the seven hundred and twenty-one voices in the Convention declared him guilty, but the death sentence passed by a majority of only one.<sup>8</sup>

<sup>1</sup> Because by international law a nation's identity or personality does not change with its form of government. The king and many of the emigrants could not have fully appreciated this. Woolsey, *International Law*, has good discussions of the international-legal questions connected with the Revolution.

<sup>2</sup> Court and royal family early and almost entirely went over to the emigrants.

<sup>3</sup> Mirabeau, dying in 1791, was the last man able to influence the king in the right direction. He was in the better condition to do this in that his own temper in his last days was less radical than in '89. Had he lived things might have proceeded more happily. See Stephens, I, xiv.

<sup>4</sup> Carlyle has a powerful description of this attempt, vol. ii, bk. iv [Tauchnitz ed.]. Cf. Stephens, I, xv.

<sup>5</sup> From those of Germany, Prussia, Russia, England and Sweden. This after accepting the constitution. He requested them to keep his invitation secret, yet assured them that they would be warring not with the nation but with a faction.

<sup>6</sup> The king's veto power had been placed in the constitution against great opposition, and the rabble regarded his use of it malfeasance in office if not downright treason. They dubbed him *Monsieur Veto*, and sang:

*'Monsieur Veto avait promis  
D'être fidèle à sa patrie,  
Mais il y a manqué  
Ne faisons plus cartie.'*

<sup>7</sup> She in a similar way was called Madame Veto:

*'Madame Veto avait promis  
De faire égorger tout Paris,  
Mais son coup a manqué,  
Grâce à nos canoniers.'*

<sup>8</sup> The Girondists earnestly sought to save Citizen Capet, as he was now known, Vergniaud making on his behalf an impassioned plea. The verdict was procured by the influence of the mob. The minority were for banishment or imprisonment. King and queen were both very brave and firm at the last. Marie Antoinette, sentenced, and asked if she had aught to say, replied: 'I was a queen,—ye took my crown; a wife,—ye slew my husband; a mother,—ye robbed from me my children. Naught is left me but my blood: take it and end my agony as quickly as ye can.' Madame Elizabeth, the king's sister, was also executed. All power in the state now passes from Gironde to Mountain, at the same time that both a civil and a foreign war impend [preceding §].

## § 17 EUROPE AND THE REPUBLIC

*Morris*, vii-xi. *Sorel*, *L'Europe et la Rév. Française*. *Michélet*, *Précis*, chaps. ix, xi-xiii. *Blanc*, vol. iv, bk. iv, ch. i, bks. vii, x.

Most other nations were from the beginning hostile to the new movement in France. Abuses similar to those which had there evoked rebellion were general, and holders of privilege everywhere feared overthrow should the revolt spread. In the execution of Louis, monarchs felt themselves at once insulted, defied and threatened. It was worse when, in face of that international law which the Legislative Assembly had rebuked the powers for disregarding, new France, constituting itself a propaganda of democracy, set out to establish this over all Europe. Emperor Leopold II,<sup>1</sup> brother of Marie Antoinette, by his circular of July 6, 1791, solicited a declaration on the part of other sovereigns that they would defend Louis from the Assembly. The king of Prussia joined him in repeating this invitation,

from Pillnitz in August of the same year, and the next February these rulers, in spite of Louis's public assurance that he accepted the constitution, removing all semblance of just pretext for intervention, formed a league to impose upon France the old government by force. The pacific Leopold died on March 1, 1792, and his son Francis was more aggressive. Austria's ultimatum in April was of the nature of a command to France to reinstate privilege and to restore the church lands. Prussia soon joins Austria, Sardinia arms.<sup>2</sup> France becomes indignant, and Louis, in the hands of his Girondist ministry, cannot but declare war (April 20, 1792). The republican campaign of 1792 begins unfavorably but ends with enormous victories, which leave Belgium and most of the empire left of the Rhine in French hands. Other governments had thus far held back, but this startling enlargement of French and of republican sway, and especially the fate of the king, rouses all Europe,<sup>3</sup> with armies comprising 200,000 men, to attack the Republic. Even England now draws the sword, Pitt at last yielding to the growing conservative clamor, becoming till his death soul as well as brain to the allied foes of France. During most of 1793 the Republic is unfortunate, still this year too ends with sweeping successes.<sup>4</sup> Gigantic armies are equipped, led by marshals like Pichegru, Moreau, Jourdain and Hoche. The winter of 1794-'5 sees Holland conquered<sup>5</sup> and the entire left bank of the Rhine from Basle made French. Tuscany wills peace early in 1795, Prussia<sup>6</sup> next, Spain soon after. England, Austria and Sardinia yet remain firm, but Napoleon's astounding

Italian campaigns of 1796-'7<sup>6</sup> quiet Sardinia and force Austria to the Peace of Campo Formio, October 17, 1797, thus extending the dominion of the Republic over all Northern and Central Italy. Pitt too seeks peace but the Directory declines.

<sup>1</sup> Emperors Joseph II and Leopold II were both sons of Maria Theresa, brothers of Marie Antoinette. Leopold died, Mch. 1, 1792, when Francis, his son, nephew of the French queen, became king of Hungary and Bohemia, to be elected emperor the following July 3. More rash, he issued in April, 1792, his ultimatum, demanding the *status quo* of June 23, 1789, i.e., the abolition of the constitution and the revocation of all that the Constituent had done. Fyffe, I, i.

<sup>2</sup> But this is not commonly reckoned as one of the regular coalitions against France. Prussia as usual did Austria's bidding. Cf. Ch. XI, §§ 9 sqq.

<sup>3</sup> Except Sweden and Denmark: the *first European Coalition*. Pitt had at the outset tried to keep England from taking part in the war. The English have been the foremost European nation to insist upon a people's right to change its form of government at pleasure, unhindered by its neighbors,—a principle of international law less firmly settled in 1792 than now. But it was a principle even then. The coalition had to seek its formal justification for opposing France in the doctrine of the balance of power.

<sup>4</sup> Thanks to Carnot's inspiring genius, carrying through the general levy, organizing the troops and selecting leaders. Fyffe, I, ii.

<sup>5</sup> The work of Pichegru, who thus accomplished what Louis XIV in his time could not. Holland becomes the Batavian Republic, 1795-1806. The other republics soon existing under the presidency of the French were i) the Helvetic, in Switzerland, fr. 1798, ii) the Ligurian: Sardinia and Genoa, fr. 1797, iii) the Cisalpine: Milan, Modena, Ferrara, Bologna, Romagna, etc., fr. 1797, iv) the Roman, Rome, fr. 1798, v) the Parthenopaic, Naples, fr. 1799.

<sup>6</sup> The Peace of Basel [Bâle], April, 1795.

<sup>7</sup> The victories of Millesimo, Montenotte, Lodi, Castiglione, Arcola, Rivoli, and Tagliamento. By this Peace of Campo Formio Austria ceded to France Belgium, the last of the lands she had received by the marriage of Mary of Burgundy with Maximilian I. See Ch. VIII, § 17, Ch. IX, § 3, n. 4, Fyffe, I, iii.

§ 18 THE RISE OF NAPOLEON<sup>1</sup>

*Fyffe*, vol. i. *Lansfey*, Napoleon I. *Seeley*, do. *Ropes*, The First Napoleon. *Thiers*, Consulate and Empire. *Fauriel*, Last Days of the Consulate.

His first campaigns in Italy rendered Napoleon virtually dictator of France, giving him an overwhelming popularity, which even his wild and disastrous Egyptian expedition, leaving the Republic's conquests of previous years to be mostly lost, did not diminish. The not difficult *coup d'état* of 18th *Brumaire* on his return, made him First Consul and paved his way to the imperial throne. This promotion of Napoleon, with the reactionary, absolutist changes of constitution which it involved, may be referred to the: 1 Universal political unrest in France, cry for government that should be strong and stable. 2 Increasing weakness, selfishness, tyranny of the Directory. 3 Unspent will of the French, satisfiable only through Napoleon, to take vengeance upon Europe for having first meddled with France's affairs. 4 Still vigorous hatred of Bourbonism and love of freedom, most of his subjects viewing Napoleon even when emperor, as the general<sup>2</sup> of the Republic, and either not noticing his despotism or condoning it as but a temporary means to liberty. 5 Great organizing ability of Napoleon in civil things, in time source to the nation of extraordinary benefits, such as firm government, financial surplus, a thing before unknown, educational and judicial reforms, reconstruction of the church, and adornment of Paris. It is to his credit that Napoleon furthered as well as so fully used the new social vigor which abolition of privilege and the promotion of the third estate had brought the

French people. His rule at its worst was incomparably superior to that of the Bourbons. 6 Unmatched career of stupendous victories, lifting France to the headship of Europe. These victories were due mainly to Napoleon's transcendent military genius, partly to the belief that he represented liberalism, partly to favoring conditions in Europe. Except Wellington and Archduke Charles—and neither of these was what Nelson was upon the sea—Napoleon's military antagonists were not commanders of the highest order. Of statesmen he feared Pitt and Stein alone. Pitt was continually opposed at home, at length supplanted in mid-struggle by a weaker premier, who hastened to make peace. Jealousy and discord prevailed among the continental rulers. Hatred of Austria and of the old empire told powerfully for France. The Confederation of the Rhine,<sup>8</sup> Napoleon's most obedient servant, long furnished a large part of his best troops. Prussia after a first harmless dash held aloof, meanly trading with France at Germany's expense, till Austria was ruined, then rushed to battle all unprepared, to be crippled for nought.

<sup>1</sup> 1796-'7, Napoleon's first Italian campaign.

1798[May]-'9[Oct.], his Egyptian expedition.

1798, *Battle of the Nile*, May.

1799, SECOND COALITION against France: by Austria, Gt. Britain, Russia, Naples, Turkey; year of constant defeat for France; *Coup d'état* Nov. 9 [*Brumaire* 18th], NAPOLEON FIRST CONSUL.

1800, Napoleon's 'forty days' campaign' in Italy; Battles of *Marengo* and *Hohenlinden*.

1801, *Peace of Lunéville*, with Austria.

1802, *Peace of Amiens*, with Gt. Britain; NAPOLEON CONSUL FOR LIFE, August.

1804, NAPOLEON EMPEROR, May.

1805, THIRD COALITION, Great Britain, Austria, Russia, Sweden; Ulm taken, *Austerlitz* won, *Peace of Presburg*, with Austria; *Battle of Trafalgar*, Oct. ['England expects every man to do his duty'].

1806, Confederation of the Rhine formed; end of the Holy Roman Empire; FOURTH COALITION, Great Britain, Russia, Prussia, Saxony; *Battles of Jena* and *Auerstädt*, Oct.; Prussia crushed; the Berlin Decree.

1807, *Battle of Eylau*, Feb., bloodiest of all Napoleon's victories; *Peace of Tilsit*, July, with Prussia and Russia; the Milan Decree, Nov.

1809, FIFTH COALITION, Gt. Britain and Austria; Napoleon defeated by Archduke Charles at *Aspern* and *Essling*, May, but victor at *Wagram*, July; *Peace of Vienna*, Oct.

1810, NAPOLEON AT THE ACME OF HIS POWER.

1811, King of Rome born, Mch. 20. See further, § 19, n. 1.

<sup>2</sup> Not wholly an error. That Napoleon was selfish and ambitious, unworthy of comparison with Washington, and that many of his deeds after he became powerful were indescribably atrocious is most true. 'Lanfrey, again, in our day has finally demolished the Napoleonic legend, and has torn the mask from the most astounding imposter and unquestionably the biggest liar in modern history, and by his clear and cutting evidence has reduced to its real proportions that orgy of blood and arrogance—the European tyranny of Bonaparte.' Harrison. Still it must be admitted that Napoleon's spirit and actions were eminently liberal as contrasted with those of the Bourbons and of European courts in general. Had it been otherwise they would easily have made and kept peace with him. Ropes sets Napoleon's character in a very correct historical light. Seeley is less just, not unwilling but unable to forget that he is English. He even attacks the world's estimate of Napoleon as a general. On this point Ropes is as conclusive as he is interesting. His battle-maps, the best we have ever seen, make Napoleon's tactics clear as day.

<sup>3</sup> This began with Mainz, Bavaria, Württemberg, Baden, Hessen-Darmstadt, Berg, and Nassau. Later all the German Fürsten belonged, except Austria, Prussia, Brunswick and Electoral Hesse. The Confederation sprung far more from dislike of Austria and Prussia than from coercion by Napoleon. See Ch. IX, § 18. Half Napoleon's soldiers in Spain in 1809 were Germans, and 200,000 or more of those he led into Russia in 1812. South Germany has ever since been much attached to France.

§ 19 HIS DOWNFALL<sup>1</sup>

*Fyffe*, I, viii-xi. *Sybel*, in *Kl. h. Schr.*, I, *Erhebung Europas gegen Nap. I. Saint-Amand*, *Memoirs of Nap. and Marie Louise. Warlenburg, Nap. als Feldherr*, 2 v. *Forzyth*, *Nap. at St. Helena*, 3 v. *Gardiner*, *Quatre-Bras, Ligny and Waterloo. Vaulabelle, Waterloo-Ligny. Lecky*, chaps. xxi, xxii.

1 With increase of dominion Napoleon lost whatever desire may have inspired his earlier conquests to make them further the real interests of the conquered, giving way to a mere vulgar lust for power. France was stretched over half Europe, most of the rest in vassalage. These subject nations had to fill the emperor's coffers, fight his battles. He made his a family of kings,<sup>2</sup> set up and pulled down thrones at his whim, his tyranny goading minions, even relatives, to revolt. 2 This spirit and policy wrought against him worst in England, rendering the solid nation, Whigs now even more than Tories, his deadly foes. Worse when, enraged by England's mastery of the seas and in despair of humbling her directly, he uttered the famous Berlin Decree,<sup>3</sup> forbidding all trade between the continent and British ports. Fruits of this were (1) Britain's attempt to blockade French Europe, (2) the American Non-Intercourse Act, (3) Wellington's long, brilliant and at last victorious fight for Spain,<sup>4</sup> (4) new and desperate hatred of French sway on the continent, where, in spite of persistent contraband trade, the 'continental system' immensely increased prices, and (5) the renewed and this time uncompromising hostility of Russia, leading to the crushing Moscow campaign which cost 350,000 men, and depriving the emperor of the to him so important naval aid of Russia and Sweden. 3 But the head continental

force in the final overthrow of the 'Corsican Sesostri' was Prussia, the chief recipient of his hatred and abuse, which most happily evoked here an entire new national life. Stein's civil and Scharnhorst's military reforms had, under the tyrant's eye yet unnoticed by him, at last raised Prussia to an eminence of power beyond even that attained under Frederic the Great. Forbidden to keep more than 42,000 men in arms, they drilled first one set, then another, till the entire male population was army. Fichte preached of freedom, poets like Arndt,<sup>5</sup> Körner, Rückert sang. The people as one man willed freedom. Answering the king's appeal '*An mein Volk*,' March 17, 1813, 110,000 men rallied to arms in ten days, 170,000 more by the end of May, whose quality Napoleon tested to his sorrow at Leipzig, Ligny and Waterloo. Wellington had to thank Blücher for Quatre-Bras, Gneisenau for Waterloo.<sup>6</sup>

<sup>1</sup> See § 18, n. 1.

1812, Invasion of Russia: *Battle of Borodino*, Sept. 7; Moscow burned, Sept. 16-19.

1813, Wellington sweeps Spain: *Battles of Vittoria and the Pyrenees*, June; in the North, *Battles of Lützen and Bautzen*, May; SIXTH AND LAST COALITION, Gt. Britain, Austria, Russia, Prussia, Sweden; *Battle of Leipzig*, Oct. 16-19.

1814, Allies enter Paris, Mch. 31; *First Peace of Paris*, May 30; Bourbon Restoration [Louis XVIII]; CONGRESS OF VIENNA opens, Sept.

1815, The Hundred Days: WATERLOO, June 18; Napoleon to St Helena, Oct.; *Second Peace of Paris*, Nov.

The defence by Wellington of the Torres Vedras line in Autumn, 1810 [n. 4], against Massena, 'the favored child of victory,' was the turning-point in Napoleon's career. His last decisive victory was before this, at Wagram, July, 1809. Henceforth downward. He no longer had his old skill and promptness in battle. At Borodino victory was in his grasp had he sent in the Guard, as all his lieutenants prayed him to do. Tolstoi,

War and Peace, gives a most interesting account of this later phase of Napoleon's campaigning, yet Ropes is best for military information and criticism.

<sup>2</sup> Louis in Holland, Jerome in Westphalia, Joseph in Naples first, then in Spain, Murat, Napoleon's brother-in-law, taking Naples. Napoleon's own son, the king of Rome and duke of Reichstadt, was acknowledged as Napoleon II by Napoleon III on his own rise to power. On the *Napoleonide*, Westminster Rev., 1882, Brewer, France, 432.

<sup>3</sup> In 1806, Nov. 21. It paper-blockades the British Isles. Another decree from Milan, Dec. 17, 1807, declares forfeited all vessels wherever found, proceeding to or from any British port or having submitted to British search or tribute. This was N.'s 'continental system.' British Orders in Council, retorting, declared illicit all commerce with the continent. Our non-intercourse act was a vain attempt to bring both parties to a better mind by refusing to trade with them till they revoked the obnoxious regulations.

<sup>4</sup> Portugal defied Napoleon's continental system, evoking his wrath. In conjunction with Spain, he deposed the house of Braganza, 1807, occupying Portugal with 20,000 men. Proceeding also to make Joseph Bonaparte king of Spain, 1808, the tyrant found the entire peninsula in arms against him, backed by Gt. Britain. In early 1809 Napoleon reduces all Spain, Soult forcing back the too small army of Sir John Moore, killed in the battle of *Corunna*, Jan. 16. Sir Arthur Wellesley soon arriving with 20,000 men, beats Soult at *Douro*, May 12, and J. Bonaparte, Victor and Jourdain at *Talavera*, July 28. Soon 280,000 French reinforcements arrive, and Wellesley retires to the Torres Vedras line, to defend Portugal. Advancing again in 1811, he pushes Massena from *Almeida*, May 6 [Beresford beating Soult at *Albuera* the 16th], storms *Ciudad-Rodrigo*, Jan. 19, 1812, *Badajoz*, Apr. 7, crushes Marmont at *Salamanca*, July 22, and enters *Madrid*, Aug. 12. VITTORIA, June 21, 1813, totally routs the French army and leaves the [now Marquis and even] Duke of Wellington free to cross the Pyrenees. Fyffe, I, viii, ix.

<sup>5</sup> 'Our Fatherland, all Germany—  
Who speak the tongue, our sons must be.  
God give us courage, will and strength  
To free it in its breadth and length.  
Join every heart, join every hand,  
Till Germany's one Fatherland.' — *Arndt*.

In Prussia no one did more to rouse and maintain this stout spirit than Queen Louise, Emperor William's mother.

\* Blücher, by fighting at Ligny, saved Wellington's detachment at Quatre-Bras from being overwhelmed. Late in the evening at Ligny, Blücher fell insensible, supposed dead. The vital question whether to retreat homeward or so as to join Wellington was decided in favor of the latter course by Gneisenau, B.'s chief of staff. The arrangement defeated Napoleon at Waterloo. Cf. Ch. IX, § 11, n. 5, Gardner, as above, Delbrück, *Leben Gneisenaus*, 2 v. This Gneisenau had served in America in a regiment of Anspach troops. On this note and the preceding, cf. Ch. XI, § 8, with notes and authorities. Fyffe, I, xi.

## § 20 RESULTS

*Adams, Democracy and Monarchy in Fr. Guizot, Memoirs to illust. the H. of my Time*, 4 v. *Treitschke, 'Freiheit,' in Aufsätze*. Ch. XI [post], § 9.

The Congress of Vienna and the Second Peace of Paris restored the map of Europe to about the form it had in 1791.<sup>1</sup> The number of states was much reduced, chiefly by the disappearance of ecclesiastical principalities. The Germanic Confederation took the place of the empire. Prussia was vastly increased in size. Bavaria, Hannover, Württemberg and Saxony were made kingdoms, the first three enlarged, the last diminished to half its old size. These modifications however scarcely hint at the radical, pervasive and lasting changes which the revolutionary movement effected in the political condition of Europe, not a single element of this escaping positive influence therefrom.<sup>2</sup> The immediate sequel was indeed an absolutistic reaction,<sup>3</sup> in France itself, under Napoleon, the restored Bourbons and the second empire; also elsewhere in Europe: Metternich, the Holy Alliance,<sup>4</sup> absolutism, striving for freedom repressed in Germany, Italy and Spain. Yet the spirit of liberty lived on in spite of these efforts to suppress it, increasing in strength and asserting itself more and

more effectively, in France, under Louis Philippe, the Second Republic and the present Republic, the last two no new creations but adjourned sessions as it were, of the First. Elsewhere in Europe there came oblivion of Metternich and his political ideas, the introduction of constitutions in all the German states, and the rise of the National-Liberal party in Prussia, which has made political unity in Germany at last after so many ages a reality. By arousing and liberalizing Prussia French republicanism may be said to have twice, in 1815 and 1870, slain its worst foe at home, the empire. Nor is the train of causation starting from the French Revolution exhaustively conceived without remembering further the (1) union of Italy under a single government, for the first time since Justinian,<sup>5</sup> (2) growth of liberalism in England, partly out of hatred to Napoleon, partly from correct insight into and true sympathy with the French agitation at its beginning,<sup>6</sup> (3) freedom of the Spanish-American republics, (4) rise and life of the Democratic Party and of the Monroe Doctrine<sup>7</sup> in the United States, (5) Belgium and Greece.

<sup>1</sup> See Freeman, *Hist'l Geography*, 229 sqq., Lodge, *Mod. Europe*, 629 sqq. On the higgling and the littleness displayed at the Congress of Vienna, Ch. XI, § 9 and notes.

<sup>2</sup> 'The French Revolution was the work of philosophers, and it was, compared with the English Revolution, a failure, and ended in Caesarism, that is, in the government of Hell upon earth.' — Bisset. Bisset, of all men, should admit that it did not *end* in Caesarism. 'If there is one principle in all modern history certain,' declares Harrison, 'it is this: That the Revolution did not end with the whiff of grape-shot by which Bonaparte extinguished the dregs of the Convention.' 'It would be easy to show,' he says, 'that the last 50 years of the 18th century was a period more fertile in constructive effort than any similar period of 50 years in the history of mankind.'

<sup>2</sup> Reform became and for a time remained a hateful word all over Europe. Louis XVIII dated the state papers of 1814 as of the '19th year of *our* reign.'

<sup>4</sup> Formed in 1815 between the monarchs of Russia, Austria and Prussia, joined later by Louis XVIII, professedly for the maintenance of the Christian religion, though it soon took the form of an absolutist propaganda, Metternich's mightiest engine for putting down all liberal movements.

<sup>5</sup> Italy even more than Germany took impulse toward freedom and union from French occupancy and the influences connected therewith.

<sup>6</sup> Fox was prompt to declare his sympathy with the Revolution and believed Pitt's repressive measures to be of dangerous tendency. This leaning of his caused coolness between him and Burke when, in 1790, the latter published his *Reflections*. Many in England hailed the Revolution as a veritable millennium. 'What an eventful period is this! I am thankful that I have lived to see it; I could almost say, *Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation,*' etc. — Sermon by Dr. Price, quoted in Burke's *Reflections*.

<sup>7</sup> Having restored absolutism in Spain, the Holy Alliance contemplated aid to the reinstated monarch in recovering his American fiefs. This called forth President Monroe's 'Doctrine' in his message of 1823, to the effect that we should consider any attempt on the part of the allied monarchs 'to extend their system to any portion of this hemisphere as dangerous to our peace and safety,' and any interposition by them to control the young American republics 'as a manifestation of an unfriendly disposition to the United States.' See 'Democratic-Republican Party,' and 'Monroe Doctrine,' in Lalor's *Cyclopædia*.

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## CHAPTER XI

### PRUSSIA AND THE NEW EMPIRE

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#### § 1 PRUSSIA IN GERMAN HISTORY

*Treitschke*,<sup>1</sup> vol. i, 24 sqq. *Droysen, Abhandlungen. Sybel, Deutsche Nation u. d. Kaiserreich.*

DESPITE the divisive influences which have operated in the nature and the history of the German people, they were manifestly destined for union under a single government, nor was it properly credible even in 1648 that so bright a race would forever continue the prey of France or of the shameful anarchy in which the Thirty Years' War had left Germany.<sup>2</sup> Relief required the rise of a political power in resources the peer of France on the one hand and of Austria on the other, yet unlike Austria in being purely and enthusiastically German. Such a state would needs be, like those so efficient political creations, the Hanseatic League<sup>3</sup> and the Teutonic Order,<sup>4</sup> a child of the North, where the German nature had lost least of its pristine vigor, and it would go forth to impose its will upon the effete South as had of old the Karlings and the Saxon emperors. The North had carried through the Reformation, defied Rome and crushed Rome's Spanish-Austrian defence. The powers, Saxony, Anhalt, the Palatinate, which then led had indeed since dropped the scepter, but before the end of

the seventeenth century another state had grasped it, — Brandenburg, soon to be Prussia, the one ordained to fulfil all the conditions for founding the unity of the Fatherland and introducing a new and glorious era in German annals.

<sup>1</sup> Reference to Treitschke unless otherwise indicated is to his *Deutsche Geschichte im XIXten Jahrhunderte*.

<sup>2</sup> See Ch. IX, §§ 17-19.

<sup>3</sup> See Ch. IX, § 4, note.

<sup>4</sup> See Ch. VII, § 18, n. 5.

## § 2 OLD BRANDENBURG

*Tuttle*, i, iii. *Lodge*, Mod. Europe, ch. xvii. *Bryce*, sup. ch. *Carlyle*, Frederic Gt., vol. i. *Weber*, I, 711 sqq. *Ranke*, *Genesis d. pr. Staates*; *XII Bücher*, I, i; *Memoirs*, etc., bk. i. *Lancinolle*, as in bibliog.

Karl the Great had pushed his conquests to the Elbe<sup>1</sup> and established the North Mark, now Altmark.<sup>2</sup> Henry the Fowler conquered half or more of Mittelmark,<sup>3</sup> the land between Elbe and Oder, which in the fourth century, A.D., Germans had vacated and the Slavic Wends occupied. After Henry, notwithstanding a nominal succession of margraves, two centuries are a blank, Mittelmark and much of Altmark losing their German character and becoming Slavic again. Safe Brandenburg history begins with Albert the Bear,<sup>4</sup> 1139-'68, of the famed Ascanian princely line, who in 1134 receives the Mark, till then mere part of the great Saxon duchy, as an immediate fief of the empire. From 1134 the state passes through: i The Ascanian period, till 1320. Brandenburg, the name from 1170, is enlarged to the eastward and Neumark organized beyond the Oder. ii The Bavarian or Wittelsbach, to 1371, the Mark hav-

ing escheated to Emperor Ludwig of Bavaria by the extinction of the Ascanian house. Misrule, war and disorder, Neumark lost for a time to the Poles, yet Brandenburg made an electorate by the Golden Bull in 1356. iii The Luxemburg, to 1415, change this time occurring partly by negotiation, partly by conquest. Misrule and rebellion continue, Neumark sold to the Teutonic Order. iv The Hohenzollern. Elector Sigismund having become emperor in 1410, bargained his dignity and land to Frederic<sup>5</sup> of Hohenzollern, the family which to-day rules Brandenburg-Prussia and the new German Empire. Prosperity now, Neumark re-purchased, territory acquired in all directions, indivisibility of the Mark decreed in 1473. Protestantism was introduced in 1539, and by Elector John Sigismund's marriage with the heiress of Preussen, that vast duchy became incorporated with Brandenburg in 1618.<sup>6</sup>

<sup>1</sup> See Ch. V, § 2. Karl Great founded Halle on the Saale, Magdeburg and Büchen as defenses of his frontier against the Wends. Hamburg subsequently replaced Büchen in this office.

<sup>2</sup> Alt- Mittel- and Neumark are divisions still in use in Prussia, the first south and west of the Elbe from Magdeburg across to Priegnitz, the second between the Elbe and the Oder, and the third east of the Oder, north and south of the Warthe.

<sup>3</sup> On Henry the Fowler, Ch. V, § 7. This victorious campaign of his against the Wends occurred in the winter of 926-'7. 'Brandenburg' is a modification of the Wendic 'Brannibor,' at first a town on the lower Havel.

<sup>4</sup> So called from the cognizance upon his shield. Cf. Ch. V, § 17 and note 4.

<sup>5</sup> Frederic VI in the line of the Hohenzollern Burggraves of Nürnberg. He received Brandenburg in return for the influence and money used by him in securing Sigismund's election as emperor. The title 'Hohenzollern,' which this family subsequently received and still wears, is from their ancestral seat, on the heights of Zollern in the Swabian Alps. Emperor

William II is the 25th ruler of the line. On the early history of the Hohenzollerns in Brandenburg, Tuttle, iii.

<sup>6</sup> See Ch. V, § 17, n. 4, Ch. VII, §§ 16, n. 1, 18, n. 5. Preussen was under Polish suzerainty however till the Peace of Oliva, 1660. Cf. § 4, and n. 4. On Preussen's early hist., Ranke, *XII Bücher*, I, 2, 3, Lavisse, 55-145. The original *Preussen* were not a Teutonic people at all but Lithuanians. 'It is a curious freak of history, not unlike that which has given the British name to the Teutonic and Gallic inhabitants of these [British] islands, that has transferred the name of this vanishing race to the greatest of modern German states.'—Bryce.

### § 3 ITS RISE TO STATEHOOD

*Tuttle*, ii-iv. *Treitschke*, vol. i, 25 sqq. *Droysen*, *Politik*, pts. i, ii. *Ranke*, *XII Bücher*, II; *Memoirs*, etc., bk. i. *Lancisolle*, as in bibliog.

It was natural that the Brandenburgers, a composite race Saxon at basis, steeled and sharpened by colonial life, should excel their neighbors in war. Equally natural was their backwardness in civilization,<sup>1</sup> whose progress among them had thrice, under Albert the Bear, at the Hohenzollern accession and after the Thirty Years' War, to begin from a dead halt. Still the Mark early developed political ambition and performance. The Ascanians designed a state that should rule the whole North, a thought whose realization the attainment of the electorship began. Frederic I led the Fürsten in demanding reform for empire and church, Albert Achilles in reducing nobles and cities to obedience, thus initiating a bold monarchical policy. End to private wars<sup>2</sup> and indivisibility of territory were here ordained earlier than in the empire at large. Government was indeed feebler after the third Hohenzollern,<sup>3</sup> letting nobles and cities grow insolent and Saxony and the Palatinate lead in the Reformation and the Thirty

Years' War. Yet the last event fell in precisely the half century which opened Brandenburg's greatness. i Cleve, Mark and Ravensberg<sup>4</sup> not only enlarged the state, gave it promising foothold in the West and enriched and diversified its culture, but as outposts of protestantism toward Spain, France and Rome, rushed it into the vortex of great European politics. ii The adoption of Calvinism as the court religion while the Brandenburgers were Lutheran and many of the new subjects catholic, necessitated here a religious liberty worthy the Reformation, which made Brandenburg henceforth the head protestant state. iii Possession of Preussen, which was secularized church land<sup>5</sup> and outside the empire,<sup>6</sup> rent Brandenburg forever from the papacy and forced it into international relations on its own account.

<sup>1</sup> 'Never did the church grow a saint from the sand of these northern marches. Rarely sounded a minnesong at the rude court of the Ascanian margraves. The diligent Cistercians of Lehnin looked more for fame as good farmers than for the crowns of art and learning.'—v. Treitschke.

<sup>2</sup> On the imperial peace, Ch. VIII, § 17. In Brandenburg the very first Hohenzollern ordained a *Landfrieden*.

<sup>3</sup> The Hohenzollern electors of Brandenburg were Frederic I, 1415-'40; Frederic II, 1440-'70; Albert Achilles, 1470-'86; John Cicero, 1486-'99; Joachim I, 1499-1535; Joachim II [who introduced Lutheranism], 1535-'71; John George, 1571-'98; Joachim Frederic, 1598-1608; John Sigismund, 1608-'19; George William, 1619-'40; Frederic William, the Great Elector, 1640-'88; Frederic III, 1688-1701 [announces himself King Frederic I of Prussia in 1701 and rules as such till 1713, still elector no less than before, as were all Prussia's kings till the empire ended, in 1806].

<sup>4</sup> See Ch. IX, § 7. Cleve had been a duchy, Mark and Ravensberg counties. Note that 'Mark' is in this case a proper name. Vienna and Madrid regarded themselves defeated when these districts passed to a protestant power, which thus came so near to Cologne, Rome's tower of strength in the empire. 'The young state embraced upon its 24,000

square miles of territory nearly all the contrasts, topographical, ecclesiastical and socio-political, which were filling the empire with vocal strife. It bestrode the German lands with spread legs like the Colossus of Rhodes, planting its feet upon the threatened marches of the Rhine westward and of the Memel eastward.—v. Treitschke. This position in West Germany also brought Brandenburg into the important alliance with the House of Orange [Holland] in its war against Louis XIV, 1672-'8 [§ 4 and notes].

<sup>8</sup> It was a Hohenzollern Grand Master, Albert of Brandenburg, who in 1525 by Luther's advice secularized the territory of the Order, becoming duke of Prussia under Polish suzerainty. The entire duchy consisted of secularized ecclesiastical land, and was the largest tract of the kind which the church had possessed. Albert was excommunicated and put to the ban of the empire. Incorporation of this estate of course placed Brandenburg forever at feud with Rome. Ch. VI, § 18, n. 5.

<sup>6</sup> Many writers seem not to understand that the union of old Preussen with Brandenburg did not bring this territory into the empire. It at no time formed part of the empire.

#### § 4 THE GREAT ELECTOR

*Tuttle*, iv-vii. *Lewis*, ch. xxi. *Ranke*, *Memoirs*, etc., bk. i; *XII Bücher*, III. *Lavisse*, 193-244. *Droysen*, *Politik*, III, a, 3.

The new status took shape in the time, 1640-'88, of the justly so called 'Great Elector,' who forms with Frederic II and Bismarck the immortal triumvirate of epoch-makers in Prussian history. Less conscientious or benevolent, he was in war and diplomacy comparable with either of his kinsmen, Gustavus Adolphus or Frederic Henry of Orange.<sup>2</sup> Fehrbellin<sup>3</sup> and Warsaw<sup>4</sup> proved him a master in strategy, tactics and valor. His combined assurance and address in the Congress of Westphalia, mean and vacillating as his father's course had been in the War, secured him Far Pomerania and the ecclesiastical states of Magdeburg, Camin, Minden and Halberstadt. Fore Pomerania he won splendidly with the sword,<sup>5</sup> though forced by the treachery of his

allies to retrocede it subsequently. By playing off Sweden and Poland against each other he made himself over Preussen a fully sovereign prince. Best, he greatly consolidated his straggling realm, which partly excuses his absolutism in roughly displacing rude parliamentary institutions by personal rule. Worthful as well were the new life, the modern and independent German spirit which he infused. He mocked at the empire's effete mediævalism, single-handed braved Louis XIV, and severely taught his diets and subjects not to look abroad<sup>6</sup> for aid. His wise policy in religion exalted Brandenburg as the protestant Holy Land. While each of the other states in the empire made some one confession dominant, barely tolerating dissenters, this gave the three an absolute parity,<sup>7</sup> at the same time offering full freedom of faith to all subjects. Religious refugees thronged in, Jews and Bohemian Brethren from the Austrian lands, twenty thousand Huguenots from France. At Frederic the Great's death nearly a third of Prussia's population were descendants of such immigrants.

<sup>1</sup> Very many of the acts of this great man cannot be defended. Tuttle well shows this, rebuking the weak adulation of Prussian panegyrists. But T. does not enough take into account the benefits that arose from unifying the different parts of Prussia, and the importance to this of the elector's absolutist course. Perusal of v. Treitschke and Tuttle together gives a very correct idea. The diets gotten rid of by the elector were not of a popular nature and the weal of the people was furthered rather than lessened by their fate.

<sup>2</sup> Gustavus was his uncle, Frederic Henry his great-uncle and his father-in-law. William III of England was his second cousin and also nephew to his first queen, Louise of Orange. On his death-bed the Great Elector planned with William the campaign to England which was to make him king the next year. The Great Elector should, in estimates of his spirit as

a ruler, be credited with this crusade against absolutism. He fought absolutism too in Louis XIV.

<sup>3</sup> In 1675, during Louis XIV's war with Holland [Ch. X, § 2, n.], the Swedes, allies of Louis, invaded Brandenburg. The elector hastened from the Rhine, where he commanded the allies, routed the Swedes in this battle, against great odds, and rapidly wrested from them every foot of the land which the P. of Westphalia [Ch. IX, § 17] had left them, including Stettin, the 'virgin' city, never conquered before. Meantime Holland, Spain and the emperor had hastened to make peace [Nymwegen, 1678] with Louis, leaving Brandenburg alone to fight France and Sweden. Hence in the P. of St. Germain, 1679, the elector was forced to give back to Sweden all that he had taken save a small strip on the right Oder-bank. In signing this humiliating treaty he is said to have cried out: *Exoriare aliquis nostris ex ossibus ultor* [Aeneid, IV, 625], which 'ultor' modern Prussians see in Bismarck. The elector showed his usual sagacity in yielding Fore Pomerania instead of letting Louis keep the Prussian Rhinelands, as it would be easier by and by to displace the Swede than the Frenchman.

<sup>4</sup> In 1656, the decisive battle in the long strife of John Casimir, king of Poland, for the Swedish throne. The elector fought on Sweden's side but refused to follow up the victory. Poland was humbled, and the death in 1660 of the victorious Swedish king, Charles Gustavus, saved Brandenburg from Sweden's vengeance. The Peace of Oliva, 1660, confirmed the elector's full sovereignty in Preussen.

<sup>5</sup> See n. 3. In spite of this loss the realm was nearly trebled in size under John Sigismund and the Great Elector, increasing from 11,440 square miles to 32,208. The Great Elector established Prussian colonies in Africa [short-lived], and a small but efficient navy.

<sup>6</sup> The diet of Preussen sought aid from Poland [declining to recognize the transfer of sovereignty], that of Brandenburg from Austria, that of Cleve from Holland. The elector cowed all of them into submission, the last general diet of Brandenburg being in 1653. He did not formally annihilate them. They were simply ignored and not summoned. On his cruel treatment of Rhode and Kalkstein in Preussen, Tuttle, 189 sqq., has excellent remarks.

<sup>7</sup> The earliest state in Europe to do this. It was first matter of necessity, then became and has remained a principle of Prussian statecraft. The Huguenots came before and at the revocation of the Nantes edict, 1685. They furnished a large fraction of Prussia's intellectual aristocracy for a century. Brandenburg resounded with the hymn,

*'Dein Volk das sonst im Finstern saß,  
Von Irrthum ganz umgeben,  
Das findet hier nun sein Gelas  
Und darf in Freiheit leben.'*

## § 5 THE FIRST TWO KINGS

*Tuttle*, vii-xi. *Treitschke*, vol. i, 35-48. *Ranke*, *Memoirs*, etc., bk. ii;  
*XII Bücher*, IV-VI. *Droysen*, *Politik*, IV, 1-3.

Frederic I and Frederic William I were not attractive characters, the one weak and vain, the other savage, mean and narrow, and neither was inspired with the slightest foregleam of Prussia's destiny. Yet partly through, partly in spite of them the land continued to advance in all the elements of able statehood. Its promotion to the rank of a kingdom<sup>1</sup> increased its moral and political weight in Europe. Much territory<sup>2</sup> was acquired, including Stettin and a goodly reach of Baltic coast. Public education was improved, the Academy of Arts and of Sciences<sup>3</sup> established, and the intellectual movement well begun which was to make Prussia instead of the catholic South the German centre for art and letters. In particular: 1 Prussia's hegemony in the *corpus evangelicorum* was emphasized and confirmed by her bold and constant opposition to Louis XIV, and by Frederic William's welcome to the Salzburg exiles<sup>4</sup> with intervention on their behalf. 2 Her military establishment was enlarged and improved, the splendid corps left by the Great Elector having slowly but surely grown to be the best disciplined and every way most formidable body of troops in Europe outside of France.<sup>5</sup> 3 More significant than all was the inner political strength which the state had acquired. The government if absolute was paternal. The Mercantile

System<sup>6</sup> had been introduced and allodial substituted for the feudal<sup>7</sup> tenure of land. A Prussian feeling verging toward enthusiasm had percolated through the remotest sections of the population. Prussia was more and more thought of at home and abroad as no longer a member of the empire but as its peer.<sup>8</sup> Economy kept its exchequer well filled, and an exact and laborious administration<sup>9</sup> was founding the unrivalled fame which the Prussian civil service still enjoys.

<sup>1</sup> In 1701, Elector Frederic III becoming King Frederic I. He lived and ruled till 1713. The succession of Prussian monarchs since has been: Frederic William I, 1713-'40; Frederic II [the Great], 1740-'86; Frederic William II, 1786-'97; Frederic William III, 1797-1840; Fred. Wm. IV, '40-'61; Wm. I, '61-'88; Fred. III, '88; \* Wm. II, '88-. Pope ignored the change to kingdom and the papal state-calendar a hundred years later knew only margraves of Brandenburg. The Saxon elector became king of Poland, 1697, but had to turn catholic therefor. This made the king of Prussia more visibly the foremost protestant magnate.

<sup>2</sup> Frederic I obtained Quedlinburg, Tecklenburg, Mörs and Lingen in West Germany, and Neufchatel in Switzerland. Prussia was now about at Bavaria's, Saxony's or Hannover's level of power. Frederic Wm. I secured a part of Guelders [Holland] at the Peace of Utrecht, 1713, and at that of Stockholm, 1720, Fore Pomerania to the River Peene, with Stettin and the islands Usedom and Wollin.

<sup>3</sup> The Academy of Arts, 1696, the Acad. of Sciences, Leibnitz at its head, in 1700. Frederic I and still more his Queen, Sophie Charlotte, truly befriended these institutions for higher culture. Not so Frederic Wm. I, who was a boor. Yet he was the monarch who first made elementary education compulsory in Prussia.

<sup>4</sup> Driven from the Salzburg district by the cruelty of the catholic archbishop, Baron Firmian, 1731. Nearly the same inhumanity was used as in Bohemia in 1620-'21 [Ch. IX, § 11]. The king of Prussia very boldly expostulated, at the same time offering the exiles all facilities for settlement in his lands. Tuttle, 411 sqq. Goethe's Hermann and Dorothea has immortalized this pathetic history, as Longfellow's Evangeline has that of the French exodus from the Basin of Minas.

<sup>5</sup> 'They had held Eugene's right on the day of Blenheim, had looked

\* From March 9 to June 15, when he died.

destruction calmly in the face at Cassano, had stormed over and over again the deadly trenches of Malplaquet, had indeed campaigned all over Europe in the service of foreign states.'—Tuttle.

<sup>6</sup> Of which Colbert, the great minister of Louis XIV, was the foremost champion. The central ideas of the system were (i) to discourage imports, making each land as far as possible dependent on its own resources alone, and (ii) to export only for money, and in all ways to provide the country with the greatest possible hoard of money. Incidental to (i) was the furtherance of home manufactures. On this see Adam Smith's *Wealth of Nations*, bk. iv.

<sup>7</sup> See Ch. VI, § 7, Tuttle, 391 sq. This left the feudal system exactly as before except as to the relations between the king and his immediate vassals. The same change occurred in England under Charles II.

<sup>8</sup> Under Frederic I Prussia was still the humble, dutiful servant of Austria and the empire. The rivalry of the two states begins under Fred. Wm. II. He had learned of Austria's treachery and charged his son to avenge him. For this purpose he left him a well-filled treasury and an army of 85,000 men. Prussia was then not higher than the 12th European state in population or territory, yet 4th in military power. Frederic the Great secured the privilege *de non appellando*, freeing Prussia from all connection with imperial courts.

<sup>9</sup> v. Treitschke believes that no statesman of modern times, Napoleon I and Freiherr von Stein aside, has equalled Frederic William I as an organizer.

## § 6 FREDERIC THE GREAT

*Lewis*, chaps. xxii, xxiii. *Carlyle*, *Frederic the Grt.* *Macaulay*, *Essay on do.* *Dunw.*, *Temps Modernes*, ch. xv. *Treitschke*, vol. i, 49-70. *Ranke*, *Memoirs*, etc., bks. iii sqq.; *XII Bücher*, VII sqq. *Droysen*, *Politik*, V sqq. *Tuttle*, *Pr. under F. Grt.*

Now came to the throne a genius, who saw as no Hohenzollern before, the vanity of the old empire, the hypocrisy and despotism of Austria, the irrepressible conflict between it and Prussia, the latter's mission ultimately to form the Fatherland anew, and the certainty that force would be required to accomplish this. Frederic's life-work, fully successful, was to enlarge and exalt Prussia and to secure to her full place and recog-

nition among the great powers.<sup>1</sup> Important incidental results of it were: 1 The initial humiliation<sup>2</sup> of Austria. 2 Strength to freedom of religious confession still menaced by Rome. Parity of faiths in the empire must have remained a myth so long as only Austria and France contested the supremacy. Frederic was thus the Maccabæus<sup>3</sup> of protestantism, his victories filling pope and Jesuits with despair. 3 Preparation for a more worthy central government in Germany by and by. Frederic deemed it as yet too early to crush the empire, but wished to germanize and reform it, by transferring its crown to Bavaria<sup>4</sup> and incorporating its smallest states with the larger and efficient ones. In this he failed, through the craft of Austria and the might of conservative, particularist and ecclesiastical prejudice. But he made Germany ashamed of its petty governments and of foreign domination. He shook confidence in Austria, increased it in simple *Deutschthum*. In his wars Frederic represented the German national consciousness. He fought for German interests, not for foreign. His miraculous victories were deeds of German valor, and stimulated the national pride to its depths. Mainly to this was due the sense of German national unity which has shaped all European history since, and also the incomparable intellectual revival which raised up Kant, Klopstock, Lessing, Herder, Goethe and Schiller. Another benign influence of this memorable reign was that it lifted the level of life at all German courts, inspiring rulers with new sense of duty, new regard for the public weal.<sup>5</sup> Austria itself was regenerated by it.

<sup>1</sup> Silesia was the only territory secured to Prussia by his wars, but during the reign east Friesland, part of Mansfeld, West-Prussen, except Danzig and Thorn, and the so-called Netz-district of Poland proper became Prussian, the last two being added by the first partition of Poland, 1772. We have no space for a full account of Frederic's wars but must refer to Carlyle, Oncken, *Zeitalter Fried. d. Grossen*, 2 v., Wolf, *Oesterreich unter M. Theresia*, etc., Arneth, *Gesch. Maria Theresias*, 10 v., Duc de Broglie, *Fred. II and Maria Theresa*, 2 v., Droysen, *Abhandlungen*, Biedermann, *Deutschland im xviiten Jahrh.*, Raumer, *Contributions to H.*, vol. ii, Duncker, *Aus. d. Zeit Fr. d. Grossen u. Fr. Wms. III.* Schäfer, *Gesch. d. 7 jähr. Krieger*, 2 v., is the standard on the 7 Years' W. Grünhagen of Breslau, an able pupil of Droysen, has written on the First Silesian W., and is writing on the Second. With the above may be consulted Koser, *Fr. d. Grosse als Kronprinz*, Oncken, *Beiträge zu neueren Gesch.*, and v. Sybel's *Zeitschrift* for 1859 and 1886. Cf. also Adams, *Manual*, 273 sq. Frederic began the First Silesian W., 1740-'2, upon his own account, but after the League of Nymphenburg against Austria, May, 1741, on the part of France, Spain, Bavaria, Saxony and Prussia, it lapses into the general W. of the Austrian Succession, to break emperor Charles VI's Pragmatic Sanction, honor the Salic law, and place Charles Albert of Bavaria against Maria Theresa in possession of the Austrian crown. In 1742 Frederic recedes from this alliance and makes peace with Maria Theresa on condition of retaining Silesia, but seeing Austria victorious and allying herself with Sardinia and Saxony, he in 1746 joins France and Bavaria again and begins the Second Silesian W., 1744-'5, against Austria, Saxony, England and Holland, another phase of the W. for the Austrian Succession. This question is, however, settled by Charles Albert's death in Jan., 1745, and in Dec. Prussia concludes with Austria the Peace of Dresden, still retaining Silesia. The other powers fight till the Peace of Aix-la-Chapelle, 1748. Maria Theresa had no intention even now of permanently relinquishing her lost provinces, yearly gathering resources and forming alliances for a fresh struggle, which came in the terrible Seven Years' War, oftener called by the Prussians the Third Silesian, 1756-'63. In 1755 Austria had succeeded in entirely isolating Frederic, but in June of that year the French and English in America opened hostilities [French and Indian War, 1755-'63], which withdrew England from the French-Austrian-Russian alliance into one with Frederic. It aided him comparatively little. In 1757 Austria, France, Russia and Sweden even arranged to partition Prussia. Notwithstanding miracles of generalship and valor by Frederic, his officers and his men, on fields like Rossbach, Leuthen and

Minden, they must have succumbed but for the death of Elizabeth of Russia, which transferred the forces of that nation [Peter III] to Prussia's side. The Peace of Hubertsburg, Feb. 15, 1763, closed Frederic's great military career, though he took part in the nearly bloodless war over the Bavarian Succession, 1778-'9.

<sup>2</sup> A century earlier north Germany required 30 years to beat Austria with France's and Sweden's aid. Now Frederic almost alone did it thrice in succession, occupying in all less than half that time. Had both sides been alone, the weakness of Austria in the comparison would have been more apparent still. Of the 850,000 men computed to have perished in the 7 Yrs. War, about 180,000 fell in Prussia's service, and her population decreased in these years by half a million.

<sup>3</sup> So was he named by English dissenters. The pope on his side sent a consecrated hat and sword to the Austrian Marshal Daun, who had accidentally beaten Frederic once at Hochkirch.

<sup>4</sup> See n. 1. This was Frederic's hope in taking part in the War for the Austrian Succession. Austria's spirit had not changed since the 30 Years' War. She still fought for Rome, still summoned hordes of foreigners to shed protestant and German blood on imperial soil. Yet how fully he conceived Prussia's German mission as this later unfolded, or deserves credit for truly German patriotism, is matter of doubt. Prussian writers probably overestimate his merit in this regard; Bryce, 406 sq., underestimates it rather.

<sup>5</sup> Frederic the Great's absolutism is not for a moment to be compared with the unqualified selfishness of a Louis XV. It was a prime maxim with him that government exists only for the good of the governed, that the monarch is only the foremost servant of the state. This view spread to his adorers, the princes and princelings of the empire. Joseph II, who succeeded Maria Theresa in Austria, was an enthusiastic imitator of the great Prussian, introducing beneficent reforms of all sorts in church and state, to which Austria's tenacity of life against Napoleon was greatly owing. Strange to say, some of the best ideas of the French Revolution itself proceeded from Frederic the Great.

## § 7 NAPOLEON'S HEEL



*Lewis*, ch. xxiv. *Treitschke*, bk. i, 2. *Weber*, II, 496-516. *Sorel*, 'Decadence de la Prusse après Fred. II', *Rev. des deux Mondes*, Jan., 1883. *Ranke*, *Ansprung, u. Beginn d. Rev.-Kriege*, 1791, '2; *Hardenberg*, bks. i-iii. *Seeley*, *Stein*, pt. ii. *Séguir*, *Hist.*, etc., of Reign of Fred. Wm. II, 3 v.

But for the present the rest of Germany partook these benefits more than Prussia, which even before Frederic's death began to decline. The wars had left it in distressing poverty, which the Mercantilism<sup>1</sup> persisted in by the king increased faster than his Spartan economy diminished it. In administration he was not his father's peer. Even the army fell off in organization and morale. If defects in the judiciary were reformed, evils equally important were neglected in other fields. The aristocracy was petted, the serfs not freed. Government was too paternal, too personal. Wont to supervise everything himself the king created no power of initiative or automatism in state or officials. Worst, his successor, Frederic William II, was a pigmy, during whose years upon the throne the very foundations fixed by the Great Frederic were undermined, Prussian national pride laid low, the lead surrendered again to Austria. There was failure in diplomacy.<sup>2</sup> Cant in religion was rewarded,<sup>3</sup> candor persecuted. The last two partitions<sup>4</sup> of Poland were against Prussia's and the world's conscience, and troubled the realm with a refractory ethnic element, both Slavic and catholic. When the French Revolution opened everything favored<sup>5</sup> the complete subjection of Austria to Prussia, but the precious chance was lost. Fierce as the king was to quash the French Republic, one dash of its raw army forced him to peace, with the

loss of trans-Rhenish Prussia entire. In all its dealings with Napoleon till the merited fate came, the Berlin court showed indolence, indecision, insincerity. And so far as Frederic William III, stripped of half his lands and mulcted a half billion francs, at last excelled his father he owed it to patriotic goading by Stein and the people.<sup>6</sup>

<sup>1</sup> See § 5, n. 6.

<sup>2</sup> By Austria, e.g., at the Congress of Reichenbach, 1790, where Leopold II artfully led Frederic Wm. to give up promising schemes of acquisition in the Austrian Netherlands [Belgium] in return for a barren promise that Austria would push its Turkish conquests no further. Fred. Wm. wasted money in a foolish campaign against Holland in 1797. How stupid too his zeal for Polish land, his ready relaxation of grip upon his beautiful trans-Rhenish domains! The 10 yrs. from the P. of Basel, 1795, are among the darkest in Prussian history: economy, order, justice gone from the administration, army weakened by ill discipline and a disaffected Polish element, treasury exhausted, no patriotism among upper classes.

<sup>3</sup> Wöllner, Frederic Wm.'s minister, devoted to reaction in theology, uttered an edict in 1788, abrogating the freedom of thought and the press so perfect under the great Frederic, commanding the clergy whether believing them or not, to propound the ancient doctrines approved at court, under penalty of deposition or worse. This law was set aside in the next reign.

<sup>4</sup> The first partition, under Frederic the Great, 1772 [Ch. X, § 3, n. 6] gave Prussia land and [German] population which naturally belonged to her, and was thus relatively justified. Not so the second and third. But the internal disorders of Poland furnished a fair excuse even for these.

<sup>5</sup> The Revolution would end France's alliance with Austria, the latter's troops were engaged in a far campaign against the Turks, the Czarina was in close treaty with Prussia. Nor would attack then upon Austria necessarily have weakened, it might greatly have strengthened, Germany's position in face of Napoleon subsequently. v. Treitschke, vol. i, 109.

<sup>6</sup> Just so Bryce, 409 sq.

## § 8 RESURRECTION

*Lewis*, chaps. xxvii-xxx. *Ranke*, Hardenberg, bk. iv. *Treitschke*, bk. i, 2-5. *Weber*, II, 541-61. *Ducoudray*, *Hist. Contemporaine*, 196-400. *Weir*, ch. v. *Perts*, Stein. *Seeley*, do.

In the process of isolating, tantalizing and grinding Prussia Napoleon was as adroit as the Berlin court was dull.<sup>1</sup> Yet the very brilliancy of this success begot his defeat at last. In Prussia as nowhere else his sway was pure, crushing burden, his purpose to enslave transparent, and as he could not here kill out the German and national spirit, irresistible reaction resulted. Prussia, chief sufferer, not Austria, became the leader in Germany's redemption, thus gaining incalculable and permanent vantage as the centre of *Deutschthum*. The years from 1806 to 1812 are morally the grandest in all Prussian history. The efficient organizers of the revival were Stein and Scharnhorst, two of the patriotic Germans who had flocked to Prussia from other states.<sup>2</sup> Stein, believing that domestic bondage must be ended before the foreign could be, set out to rebuild socially from the bottom. The serfs were freed, nobles' privileges and many monopolies abolished, self-government restored to cities, the trades removed from guild-domination.<sup>3</sup> Public burdens, distributed more justly, were borne more cheerfully. Scharnhorst reformed the army in like manner, putting into it native Prussians<sup>4</sup> only, to be treated humanely and honorably, with arms and drill simple and efficient. His plan of filling and drilling the permitted quota and then emptying it to give place to more recruits,<sup>5</sup> turned the whole male population into trained soldiery, wherein merit and service,

not social position, secured promotion. In these and other ways inspired patriotism came to pervade clergy, universities, schools<sup>6</sup> and literature, as well as the masses of the people. For years restrained only with difficulty, after Vittoria and Napoleon's retreat from Moscow the awful zeal for freedom burst all bonds. Led by men like Blücher, Gneisenau, Yorck<sup>7</sup> and Bülow Prussia's soldiers sought the front on every battle-field, fighting like tigers. Their spirit was contagious, and the oppressor crossed the Rhine chased by huge armies from states which yesterday acquiesced or even gloried in French rule as a blessing.

<sup>1</sup> Partly her own pride, partly Napoleon's management led Prussia to take so mean and crooked a course that other nations were offended at her. Her fall awoke little pity. Too ready to go Austria's ways before the war, now in the hour of woe to all Germany, alliance with Vienna was shunned as deadly. Had Prussia coöperated in the Austerlitz campaign, 1805, Napoleon might have been crushed. Not even the high-handed seizure of Hannover by the French in 1803 could rouse the sleepy Frederic Wm. III. In 1805 he even accepted from Napoleon the Hannover so recently plucked from England, his ally. Erection of the *Rhein-Bund* and the restoration of Hannover to Eng. awoke him, yet without duly arousing him. Tilsit stripped him of all his kingdom west of the Elbe and also of all the Poland acquired by the second and third partitions. Cf. Bryce, 407 sq.

<sup>2</sup> Stein was a Nassauer, Scharnhorst a Hannoverian. Besides these, Blücher and Fichte of the men influential in Prussia at this crisis were from outside. Scharnhorst was wounded May 2, 1813, in the battle near Lützen, yet continued active and made his wound fatal, June 28.

<sup>3</sup> Under the Great Elector most towns gave up the subsidy-system of paying taxes, granting him a permanent excise. This made him independent. As nobles and prelates still paid the *Bede* [*Bitte*, 'request'] or subsidy, sympathy between them and the burghers died out. Royal tax-officers became the main officials of towns. Nobles paid their taxes by grinding their serfs. In 1807 Stein promulgated an edict abolishing serfdom, and also the legal distinction of classes, establishing freedom of ex-

change in land and free choice of occupation by all. In 1808 he issued another, restoring self-government to the cities, only the head official of each to be appointed by king, from three nominees presented by the citizens. Stein's reforms, so far as they went, were almost exactly those of the opening French Revolution [Ch. X, §§ 11, 12]. He based his acceptance of office on the condition that there should be no more an irresponsible cabinet, but responsible ministers, to counsel the king and be his executive agents. His intention was ultimately to give Prussia England's parliamentary system, but his work was cut short. A letter of his [Seeley, pt. iv, ch. v] betraying his wish to rid Germany of the French yoke reached Napoleon, and, to relieve Prussia from a conflict which would then have been premature, he gave up his place as Prussian minister, Nov. 24, 1808, fleeing first to Austria, then to Russia. Napoleon in a sounding manifesto denounced to the world 'a man by the name of Stein' as a stirrer of revolt against the French empire. It was Stein who induced Czar Alexander, when Russia was invaded, to ignore Napoleon's offers to negotiate. Hardenberg took up Stein's reforms in 1810, giving each peasant the fee simple of part of the estate to which he had belonged. Seeley's Stein, pts. iii-v.

<sup>4</sup> I.e., as private soldiers, the system of employing mercenaries being abandoned.

<sup>5</sup> See Ch. X, § 19, Seeley's Stein, pt. iv, ch. iv.

<sup>6</sup> The educational reforms of Wm. v. Humboldt had established the Prussian school system on its present basis, and in 1809 the University of Berlin was founded.

<sup>7</sup> On Blücher and Gneisenau, Ch. X, § 19 and n. 6. Droysen has an able Life of Yorck [*Leben d. Feldmarschalls Grafen York von Wartenburg*, 3 v]. Yorck's son died fighting in the streets of Paris, being among the first to enter after Waterloo. Surrounded by French chasseurs and bidden to surrender, 'My name is Yorck' [*ich heisse Yorck*] was all he would reply, rushed upon them and fell.

## § 9 THE CONTINENTAL GERRYMANDER OF 1815

*Treitschke*, bk. ii, 1. *Weber*, II, 553 sqq. *Ranke*, Hardenberg. *Flaßke*, as in bibliog. *Weir*, ch. v. *Perts*, Stein, vol. ii. *Seeley*, do., pt. viii. *Alison*, ch. xxvii.

The old empire<sup>1</sup> and Napoleon's gone, Germany needed a new constitution, preparation of which was

the chief work of the Congress of Vienna, famous for so many reasons.<sup>2</sup> Prussia had brought from the war new zeal for a united Fatherland, and her envoys came to Vienna to urge a national policy. In vain. Prussia's sacrifices had awakened jealousy instead of gratitude. The heads of the *Rhein-Bund* states in particular, 'satraps of Napoleonism,' entered the Congress sworn to weaken, 'in the interest of German freedom,' the only state that had shown power and will to defend Germany. Herein they were at one with Metternich, master spirit of the Assembly, who possessed the art to bring all to his view. His policy favored (1) death to revolutionary ideas, (2) aid to the Turks against Russia, an aim which gave him England and Hannover, and (3) division and impossibility of union in both Italy and Germany.<sup>3</sup> Prussia was to be made as small and weak as possible, even France to be favored rather than she, and a cordon of separate but not too feeble states to remain in Central and South Germany, kept satellites to Austria by assiduous courting. This plan in the main prevailed and is mirrored in the loose constitution<sup>4</sup> of the Confederation which the Congress established. Of the Prussian diplomatists present, none of them able, Hardenberg led, but weakened Prussia's suit by at first siding with Metternich's Turkish policy against Russia, and by insisting upon the size<sup>5</sup> rather than upon the quality and position of the acquisitions he demanded. But if Prussia gained in territory less than she hoped, fortunately the increment which she did receive preserved her unity, while her moral advantage from the great struggle, in elevation of national enthusiasm at

home and in the public opinion of the world, exceeded that of any other continental power.

<sup>1</sup> The Holy Roman Empire ended in 1806, when emperor Francis II renounced his crown. It had amounted to nothing since 1801, date of the Peace of Lunéville. Francis had already in 1804 announced himself as emperor Francis I of *Austria*, in which character he remained till his death in 1835. The more liberal spirits in the congress wished to restore, modified, the ancient empire, but Metternich's decisive influence was thrown against this. Cf. § 12, n. 2.

<sup>2</sup> Here originated the system of relegating the weightiest affairs of European politics to the great powers for decision, which has since become a recognized part of international law. A lively sense now first began to be manifested in Europe's common interests. Certain very valuable forms and rules for international intercourse date from this congress. Many new agreements were here set in train for the free navigation of great rivers having an international character. 'The business policy of the 18th century had as its fundamental principle that one nation's gain is another's loss. Now for the first time a European treaty appealed to the doctrine of the new political economy, that the alleviation of commerce is for the common interest of all peoples.'—v. Treitschke. The powers united to do away with the slave trade. New attention was directed to the rights of foreigners resident in any land. In a word this congress was an epoch in international law, and private international law may be said to have had here its birth, as public at the Congress of Westphalia [Ch. IX, § 17, n. 7].

<sup>3</sup> Cf. Ch. X, § 20. Italy was divided nearly as in 1795, before the Napoleonic invasion, Venetia and Lombardy being united into a kingdom, subject to Austria. Germany was restored to nearly the figure of 1803, incorporating the petty principalities, counties and baronies in the larger states. Prussia obtained the valued Posen-district of Poland, its eastern and southeastern line running as now, also, in the west, all that had been lost by the Peaces of Tilsit and Basel, and beyond the Rhine about Cologne considerably more, viz., the electoral territories of Cologne and Treves, the city of Aix-la-Chapelle, and pieces of Luxemburg and Limburg. Pomerania and about half of Saxony also passed to Prussia. The entire *Bund* now constituted embraced 38 states in all: 1 empire, Austria; 5 kingdoms, Prussia, Bavaria, Württemberg, Saxony and Hannover; 1 electorate, Hessen-Kassel [the term now of course purely conventional and

devoid of its old meaning]; 7 grand-duchies, Baden, Hessen-Darmstadt, Mecklenburg-Schwerin, Mecklenburg-Strelitz, Saxe-Weimar, Luxemburg and Oldenburg; 9 duchies, Meiningen, Koburg-Gotha, Altenburg, Dessau, Köthen, Bernburg, Nassau, Brunswick and Holstein; 10 *Fürstenthümer*, the landgraviat of Hessen-Homburg, and the 4 free cities of Frankfort, Hamburg, Bremen and Lübeck. — Weber, II, 555, Fischer, *Nation u. Bundestag* [1880], Kaltenborn, *Gesch. d. d. Bundesverhältnisse*, etc., Abschn. ii, iii. This division was 'characterised by a disregard of popular rights, of differences of race and religion and of historical tradition, worthy of Napoleon in his most absolute days. Europe was treated as if it were a blank map which might be divided simply into arbitrary districts of so many square miles and so many inhabitants.' Blücher wrote to his old friend Rüchel, 'The good Vienna Congress resembles an annual fair, whither every farmer drives his cattle to sell or to exchange.' Görres complained of 'the heartless statistical system' of the Vienna diplomatists.

<sup>4</sup> Diet with one representative from each state, to sit at Frankfort, an Austrian plenipotentiary for president. Diet to settle all disputes between states, each of which was forbidden to make war on any of the rest, or alliances unfavorable to them. There was to be a Bund-army of 300,000 men, and the Bund was to make war and treaties. Cf. § 16, n. 6.

<sup>5</sup> In view of her immense sacrifices: 140,000 men since the beginning of 1813, Prussia pressed for the whole of the grand-duchy of Warsaw [Poland], all Saxony and all Lothringen. These possessions would have given her a most heterogeneous population, and probably retarded her progress in national character and spirit, so that her foes in refusing such extension really did her a kindness. The settlement left the kingdom indeed not quite so large as in 1806: 108,000 sq. miles to 122,000, but the exchange of Slavic for German population and the westward shifting of the centre of gravity more than compensated. In these felicitous conditions Prussia possessed a far richer promise of the future headship of Germany than did Austria in her new Italian dominion.

## § 10 METTERNICHISMUS

Müller, 1-90. Fischer, *Nation u. Bundestag*, bk. viii. Treitschke, vols. ii, iii. Weir, ch. vi. Seeley, Stein, pt. ix. Alison, ch. xxvii. Flathe, as in bibliog. Fyffe, II, ii.

The new Bund was ruled, no less than it had been created, as Austria's and Metternich's tool, to make

Germany, Prussia included, the vassal of Hapsburg, and to stay the advance of liberalism. The presence of the French in Germany, reminding of the Republic, had quickened and generalized the wish for constitutional rule, the hatred of personal. While peril lasted, the powers heeded. Czar Alexander received Poland on condition of granting it a constitution, Frederic William promised Prussia a constitution, article xiii of the Bund-acts declared that each of the confederate states was to have a constitution with representation. Liberals fully expected that ere long constitutionalism would prevail on the continent as in England. Bitter disappointment awaited this hope, the next period being but a record of Metternich's triumphs, of monarchs' mean devices to evade their pledges and hush the popular cry.<sup>1</sup> Except Saxe-Weimar<sup>2</sup> not a state of the Bund obtained a truly liberal ground-law. Bavaria, Württemberg and Baden, which had felt France most, had charters by 1820, but these modified absolutism only a little, and were given partly to spite the larger states, surrendering to reaction. In the North the aristocracy, powerful and ignorant, would yield naught of its old privileges, nor consider any constitution but the antique one of estates, which gave the middle and lower classes no audible voice. In Austria the path of constitutional movement was blocked utterly. And the privileges which were conceded elsewhere were vitally vitiated by appearing as grants, not as rights. All seeking by the people to wrest concessions was viewed as Jacobinism, with Reign of Terror behind. Press, pulpit, school<sup>3</sup> and platform were under gag-laws, patriots executed, exiled or silenced

by an infamous system of espionage, which Napoleon would have blushed to own. The Bund-diet became the agent of tyranny, its lethargy and weakness its sole redeeming features.

<sup>1</sup> Poland received her constitution, a liberal one, revoked however in 1830, when the czar put down the Polish rebellion and made 'order reign in Warsaw.' The king of Prussia utterly belied his solemn pledge, after having even gone so far as to name the limit of time within which a commission should meet to draft the promised instrument. Prussia thus squandered another inestimable opportunity to assume the first place among the German states. The Rhenish Mercury, which called for the fulfilment of the engagement, was suppressed. The same offence cost Arndt and the brothers Welcker their Bonn professorships with imprisonment, and exiled Görres and Jahn. In Saxony, Mecklenburg, Hannover, Brunswick and Oldenburg aristocratic government went on after the erection of the Bund just as before.

<sup>2</sup> Nassau received in 1814 a constitution worthy the name, but it was not set in exercise till 1818, and was then to a great extent neutralized by the administration. Karl-August, the grand-duke of Saxe-Weimar, in May, 1816, acting with the estates, granted a genuinely democratic ground-law, providing for the representation of all citizens, the voting of taxes, and the freedom of the press. Most of these German constitutions were modelled upon the French charter of Louis XVIII.

<sup>3</sup> The universities were indeed special centres of liberal enthusiasm, the Jena '*Burschenschaft*' having spread to all the other universities, but it was ludicrous that the grand rally of German students at the Wartburg Castle, Oct. 18, 1817, to celebrate the 300th anniversary of the Reformation and the 4th of the battle of Leipzig, should be feared by Metternich and his minions as shaking the pillars of state. The Jena *Burschenschaft* with the permission of the Weimar government had invited all the student-bodies in Germany to send delegates to the celebration. About 500 young men assembled. The exercises were mainly religious, yet speakers naturally alluded to German hopes deferred. Writings of the advocates of absolutism were burned and the black, red and gold standard of the old empire saluted with fervor. Several Prussian universities were suppressed in consequence of this excitement. The Russian envoy, Stourdza, who had at the Congress of Aix-la-Chapelle, 1818, presented a memorandum denouncing the revolutionary tendency of the universities, two Jena

students, counts Bochholz and Keller, challenged to a duel. In 1819 a theological student named Sand poniarded Kotzebue for editorials in his paper ridiculing and condemning the students as hostile to good government. These events led Metternich to convoke at Carlsbad, Aug. 7, 1819, the conference which issued the famous Carlsbad Decrees, instituting rigorous censorship over universities and the press and against all 'demagogical associations.' Professors were to be watched as closely as students, and to be displaced for any teachings calculated to disturb 'the public order and peace or the bases of existing political arrangements.'

## § II 1830

*Droysen, Abhandlung, zur Gesch. d. pr. Politik in 1830-2. Alison, ch. xxiv. Klüpfel, as in bibliog. Couchon-Lemaire, Hist. de la rév. de 1830. Fyffe, II, v, vii.*

The French revolution of 1830 swept across all Europe, but enormous as was the good which it effected in Belgium, England and indeed everywhere<sup>1</sup> outside of Metternich's reach, it confirmed, not alleviated, the political wretchedness of Germany. Its immediate influence was most marked along the Rhine, in the smaller states, which were near France,<sup>2</sup> sympathized with its rage against the Bourbons and contained most of the German progressive party. The fall of Warsaw and the consequent influx of Polish patriots quickened liberal zeal. But this, owing to the total lack of political training, was abstract rather than practical, studying grievances more than remedies, and it was as yet too little devoted to the deliverance of the nation as a whole. Hence several wild outbreaks,<sup>3</sup> accomplishing no good but greatly hindering real progress. Hannover, Brunswick, Saxony and electoral Hesse now secured constitutions, which, in spite of the diet's efforts to make them so, were not of the antique estates-pattern, yet the Hanoverian was suppressed in 1837 by the new king, Ernest

Augustus, who punished seven of Göttingen's ablest professors<sup>4</sup> for protesting. German liberalism had for a time a stout champion in King William of Württemberg, who sought to unite the central and southern lands into a political and military alliance which could halt or hinder the absolutist march. But Metternich, backed by Prussia, adroitly put forward in this base work to destroy her prestige, using spies, prisons and corrupt courts and promoting the 'loyal,' succeeded in stamping out liberty and progress as effectually in Germany as in Austria, Italy and Spain.<sup>5</sup> The final acts of the Vienna Congress in 1820, together with the diet's decrees of 1832, assuming right to annul a Landtag's<sup>6</sup> laws, immensely strengthened the Bund for evil. Small states could now be forced to persecute each other. Constitutions and personal rights were nullified, all political powers boldly declared to reside in the Fürsten. Karl-August and King William were driven to change course, all patriots to recant, wait in silence, or busy themselves in literature, which tyranny fostered as a narcotic. Compared with this leaden despotism Napoleon or the worst Bourbons furnished an ideal rule.

<sup>1</sup> Belgium was now separated from Holland, with which the Vienna Congress had so stupidly joined it. England passed its first great Reform Bill in 1832. Poland now lost the constitution of 1815 and became a mere Russian province, though with special administration.

<sup>2</sup> The Prussian Rhine-provinces had been left to a great extent in the enjoyment of the French laws and administrative methods established while they belonged to France. The Rhein-Bund had left memories of order, personal rights and freedom which men could not help associating with France.

<sup>3</sup> At the 'Hambach Festival,' in Rhenish Bavaria, windy orators harangued some 30,000 men and women decked in black, red and gold, cry-

ing 'to arms, down with the princes,' etc. A band of misguided conspirators overpowered the Frankfort police and military for a few hours, April 3, 1833. Müller, 159 sq., Weber, 780.

<sup>4</sup> 'The Göttingen Seven': Albrecht, Dahlmann, Ewald, Gervinus, Weber and the two Grimms. All were deprived of their posts, and Dahlmann, Gervinus and Jacob Grimm, who had published their protests, had to leave the country within three days. The diet supported Ernest Augustus in this. He had in England been the Tory leader. But for prevalence of the Salic law [Ch. VI, § 11, n. 1] in Hannover, Victoria would at this time, 1837, have become monarch of Hannover as of England.

<sup>5</sup> The Holy Alliance [Ch. X, § 20, n. 7] was shamefully instrumental in oppressing these lands. Its plausible principle of mutual coöperation on the part of the banded monarchs was stretched to apply to all cases where monarchy was threatened by revolution. Under its auspices Austria beat down liberalism through the entire length of Italy in 1821, and France aided Ferdinand VII of Spain in 1823 to overthrow the Cadiz constitution. Fear that it purposed to aid Spain in recovering her lost American dependencies evoked the Monroe Doctrine from President Monroe in his message, Dec., 1823.

<sup>6</sup> *Landtag* = the diet or legislature of one of the states composing the confederation.

## § 12 THE MIRAGE OF '48

*Weber*, II, 799 sqq. *Müller*, 186-292. *Van Deventer*, 50 années de l'hist. fédérale de l'Allemagne. *Baring-Gould*, Germany Past and Present, 2 v. *Klüppel*, as in bibliog. *Kaltenborn*, *Gesch. d. d. Bundesverhältnisse*, etc., Abschn. v.

Liberal ideas, domestic and streaming in with easier communication from Italy, Greece, England, France and especially Switzerland,<sup>1</sup> proved at last more than a match for Metternich, and when the revolution of 1848 rocked to its base every throne of Continental Europe, he fell. Longing for German unity and freedom now revived, more intense and hopeful than ever. Radicals urged a German republic, to match the new French one, but most patriots—a dream cherished ever since the collapse thereof—favored resuscitation of the old em-

pire,<sup>2</sup> with a strong and responsible executive, and a central, popularly elective parliament. Conservatives themselves demanded that the diet, representing Fürsten alone, should be supplemented by a popular chamber. There were liberal risings in every state,<sup>3</sup> liberal ministries came in, both Prussia and Austria secured genuine constitutions.<sup>4</sup> A meeting at Heidelberg, March 5, chose a committee of seven to summon a preliminary convention and publish a plan for a regular Constituent Assembly, and such an Assembly convened at Frankfurt on May 18. Thus challenged, the diet too set to work to amend the ground-law of the Bund itself, but the Constituent having elected Archduke John imperial administrator pending choice of an emperor, the old legislature resigned to him its power and dispersed. Abstractly considered, the new constitution was well enough,<sup>5</sup> but, although traversing all the principles and practice of Prussia and Austria and sure to meet their hostility, it lacked power to coerce or to set itself in motion. Its impotence was soon apparent. The war with Denmark over Schleswig-Holstein, waged by the Assembly and Prussia in common, the latter terminated in defiance of the Assembly, which had to yield. On the question whether the empire should embrace Austria the *klein-deutsche* party was victor, but Austria boldly refused to be excluded. The king of Prussia having been elected emperor, the emperor of Austria and several other princes declared that they would not obey him. Frederic William of course declined the dignity, which then went begging. The plan for a new polity had failed utterly. The Assembly's best members gone,

the Rump adjourned to Stuttgart, to be soon dispersed by the military. Prussian troops quelled South German disorder, and on September 2, 1850, the old diet resumed its idle deliberations.

<sup>1</sup> We cannot even sketch the process of this revolution in these lands, but must refer to the literature named at the head of the paragraph. Müller's chapters give the best resumé.

<sup>2</sup> Although the proclamation of Kalisch by czar Alexander and king Frederic Wm., Mch. 25, 1813, had named as one of the objects of the then imminent war to afford the German peoples defense 'in reëstablishing a venerable empire,' the ruling powers had since 1815 somehow viewed with horror all thoughts of restoring the Holy Roman Empire in any form, perhaps because agitators had usually cried for it. The popular feeling beautifully appears in Schenkendorf's *Wollt ihr Keinen Kaiser Küren?*

- 1 *Frei geworden ist der Strom,  
Ist das Land am deutschen Rheine;  
Doch der Stuhl von Felsgesteine  
Trauert noch im Aachener Dom.*
- 2 *Steht er wohl noch lange leer?  
Will sich drauf kein Kaiser setzen  
Allen Völkern zum Ergötzen,  
Der Bedrängten Schirm und Wehr?*
- 3 *Ach, die Sehnsucht wird so laut!  
Wollt ihr keinen Kaiser küren?  
Kommt kein Ritter heimauführen  
Deutschland die verlassene Braut?*

<sup>3</sup> Both Berlin and Vienna were for a time in the hands of the populace. In the liberalist stir of these days in Baden Franz Sigel, general in the American Civil War, first became prominent, and the name of Carl Schurz was heard. Hosts of the German patriots went to America so soon as hope of a new government proved vain.

<sup>4</sup> For Prussia's constitution of 1847, see § 15, n. 1. The new, liberal one was sworn to by the king on Feb. 6, 1850.

<sup>5</sup> There was to be a Reichstag or diet, made up of senate and popular assembly, the senate consisting of delegates half of whom were to be appointed by the state governments and half by the state legislatures. It was a loose confederation after all, yet as close as Germany was prepared for. Had it prevailed, Germany would have appeared as a unity at least in its foreign relations and in war.

## § 13 SEQUEL

*Bryce*, 419 sq. *Müller*, as at § 12. *Frank*, *Wiederherstellung Deutschlands*.

'The effects, however, of the great uprising of 1848 were not lost in Germany any more than in Italy and Hungary. It had made things seem possible, seem even for a moment accomplished, which had been till then mere visions; it had awakened a keen political interest in the people, stirred their whole life, and given them a sense of national unity<sup>1</sup> such as they had not had since 1814. By showing the governments how insecure were the foundations of their arbitrary power, it had made them less unwilling to accept change; it had taught peoples how little was to be expected from the unforced goodwill of princes. From this time, therefore, after the first reaction had spent itself, one may observe a real though slow progress towards free constitutional life. In some of the smaller states, and particularly in Baden, it soon came to be the policy of the government to encourage the action of the local parliament; and the Prussian assembly became in its long and spirited struggle with the crown a political school of incomparable value to the rest of Germany as well as to its own great kingdom. One thing more, the events of 1848-'50 made clear to the nation the hopelessness of expecting anything from the Confederation.'

<sup>1</sup> Hence the rise of the *National-Verein* in 1859, nucleus of the national-liberal party, which ramified through all the German states, holding meetings from time to time and issuing pamphlets and manifestoes. It descended lineally from the *klein-deutsche* party of the Frankfort parliament. From '62 it had a rival in the Reform Union, which was *gross-deutsch*

in sentiment, pretending to wish reform for Germany, yet determined that Austria should not be excluded. This Union had few supporters in Prussia, many in Hannover and the south. The contest between these unions kept the wretchedness of the existing constitution constantly before the public mind, accustoming all to the assurance that reform or revolution must come at last.

#### § 14 PRUSSIA'S LAST GENUFLECTION

*Müller*, Periods III and IV. *Treitschke*, *Zehn Jahre d. Kämpfe*. *Klüpfel*, as in bibliog.

For declining the imperial crown as proffered Frederic William IV had two reasons, viz., that the revolution was spent<sup>1</sup> and that Prussia had a plan of her own for reforming the empire. The thought thrust forward by Frederic the Great in his North German *Fürsten-Bund*<sup>2</sup> had never become Prussia's conscious policy but had not been forgotten. The Peace of Basel, 1795,<sup>3</sup> stipulated that all the German states north of a certain parallel should share its benefits like Prussia. In 1806 Frederic William III sought to found a North German league<sup>4</sup> to oppose Napoleon's Rhein-Bund. Far more significant in the same direction was the *Zollverein*,<sup>5</sup> of 1833, uniting all Germany proper under Prussia's leadership, with striking and tangible advantage. We have seen too the *klein-deutsche* party once at least in majority in the Frankfort Assembly.<sup>6</sup> In refusing the crown offered him by the people's representatives Frederic William remembered this history, and he immediately advanced the Prussian proposition for uniting Germany, on a more conservative and monarchical basis, excluding Austria altogether and explicitly recognizing Prussia's hegemony. The imperial party of the Frankfort Assembly strongly approved. On May 26, 1849, was concluded the League

of the three Kings, Hannover and Saxony with Prussia, to which most of the smaller states at once adhered. Partly launched next year in the Erfurt Parliament and the Berlin Congress of Fürsten, the scheme was wrecked by the opposition of Austria, now again in high ascendant from its triumphs in Italy and Hungary and straining every nerve to snatch from Prussia the first place in German affairs. It was wholly successful. South Germany drew off from Prussia to the Austrian side, and against Prussia's protest the diet was reopened. War was imminent when on the rise of anarchy in Hesse<sup>7</sup> Prussia intervened for people, the diet with Austrian and Bavarian troops for prince. In this crucial juncture Prussia, as so often before, played the coward and dashed all patriotic hopes. Manteuffel succeeded Radowitz as minister, and in conferences at Olmütz and Dresden, 1850-'51, kissed Austria's feet on Prussia's behalf. The Bund was fully restored. Thoughts of a federal constitution and popular rights were ignored, and an absolutist reaction set in much as after 1830.

<sup>1</sup> Probably the Prussian government would at no time thus early have been willing to accede to so liberal a constitution as was made at Frankfurt, yet under the pressure of the revolutionary storm when at its height concessions might have been obtained far easier than at the late hour that saw the constitution completed. Prussia was, however, in course of political progress [§§ 15-17].

<sup>2</sup> Formed against Austria in 1785, by Prussia, Saxony and Hannover [the same powers that unite now again in 1849], soon joined by Brunswick, Mainz, Hessen-Kassel, Baden, Mecklenburg, Anhalt and the Thuringian principalities [Seeley's Stein, pt. i, ch. ii, Ranke, *D. deutschen Mächte u. d. Fürstenbund*, 2 v.]. It amounted to little [Frederic dying next year] save as a hint for the future. We have seen that there had been ever since the Reformation a tendency to cleavage between no. Germany and south, one form which it took being that of the *corpus evangelicorum* meditated by Gustavus Adolphus.

<sup>3</sup> Ch. X, § 17.

<sup>4</sup> Such a scheme had been suggested to him by Napoleon himself. Prussia was to be head of the league, Saxony and Hesse next, Hanseatic towns to have special privileges, Hildesheim to be the federal city. Seeley's *Stein*, vol. i, 245.

<sup>5</sup> Or Customs-Union. The Vienna Congress had left each of the 38 states of the Bund to erect its own customs-system. Württemberg and Bavaria formed a customs-union in 1828, Prussia and Hessen-Darmstadt a month later. The great naturalist, Oken, conceived the plan of uniting the two unions. The Association of German Naturalists debated the project at the annual meeting in Berlin, 1828, and it was realized in 1833. 'Imperceptibly the states of the Zollverein, with a population of about 27 million, came into a certain dependence upon Prussia, which, although at first only affecting industrial and commercial interests, might readily be improved for national and political ends.'—Müller, 165. Austria repeatedly sought admittance but was refused. See Weber, 784.

<sup>6</sup> See § 12, also § 13, n., in relation to the question whether to include Austria in the new government.

<sup>7</sup> The elector had dismissed a liberal cabinet, dissolved two parliaments for not confirming his illegal measures, and resolved to rule alone. He made Hassenpflug, the most detested man in the land, his minister. Opposed by the courts he placed the country under martial law. Police, army and civil officers refused obedience, and the elector fled to Frankfurt, where he of course secured the diet's aid, as it would not do to allow a ruler, however wicked, to be overborne by the popular will, however legally and peaceably brought to bear. This was characteristic of the reaction now in progress. Poor, patient Germany had once more to take up its old, heavy yoke.

## § 15 A SPINAL COLUMN

*Busch, and Poschinger, as in bibliog.*

At last after so many humiliations, disappointments, sacrificed opportunities, Prussia found a man, a veritable *Fredericus redevivus*, whom Austria could not frighten or bend. Trained in the united diet<sup>1</sup> of Prussia from 1847 to '50, member of the Erfurt Parliament in '50 and

of the Bund-diet from '51 to '59, minister to St. Petersburg in '59, to Paris in '62, and then minister-president and foreign secretary at home, by the time of the events just narrated Bismarck was master of Prussian, German, and European politics. First an enthusiast for Austria, he learned at Frankfort the wiles, corruption and hatred for Prussia of that power, and vowed to live for naught else till he had destroyed its arbitership of Germany's destiny. Not a republican nor yet a constitutional<sup>2</sup> monarchist of full liberal stripe, Bismarck saw the necessity of winning to the side of his government the popular conscience and intelligence, and he hated Metternich's methods no less heartily than did Gagern<sup>3</sup> himself. Zealot for German unity, he had no faith in seeking this by the Frankfort plan, which could succeed only in proportion as it denationalized constituent states, or any otherwise than by the 'blood and iron'<sup>4</sup> of some single power, with which the rest had in the main common interests. He viewed Prussia as such a power, with him Prussian and German patriotism being identical. He was fortunate in the new king, William,<sup>5</sup> politically timid like most Hohenzollern, but a brave soldier, with a keen mind for military organization, and trustful of his minister. Opposed in the lower house of the Prussian diet and never liberal enough for the progressists, the resolute premier managed to carry with him the living forces of Prussia, and more and more to gain the confidence of Germany. That Prussia would no longer follow Austria he announced loudly, and the fact that by intriguing with the little states Austria fully controlled the diet,<sup>6</sup> gave him plausible ground for soon

repudiating the Bund itself and renewing Frederic William IV's motion of 1849.<sup>7</sup> Meantime events enabled him to use other than diplomatic methods in realizing such an idea.

<sup>1</sup> Still a diet of estates, with no properly popular representation, and differing from the preceding legislative apparatus of Prussia almost solely in consisting of a single assembly, acting for all the provinces under the Prussian crown. There were two *curia*: the house of lords, made up of princes of the blood, foreign princes holding fiefs from Prussia, 'mediatized nobles,' i.e., such as had had lands and lost them by the acts of Napoleon or of the Congress of Vienna, and the representatives of certain foundations and corporations; and the house of the three estates, wherein sat representatives of the *Ritterschaft* or lesser nobility and gentry, of the cities, and of the country parishes. This mock legislature had no initiative, and on general legislation could merely advise, but it could veto any law to increase taxes. Patriots frowned upon so mean a creation, yet hoped that it might, as it did, lead to something better. On Feb. 6, 1850, Fred. Wm. IV swore to a new constitution which his Landtag had prepared, truly liberal in nature.

<sup>2</sup> A chief reason for the long delay of tolerable government in Germany was the conflict of the sentiment for unity with that for constitutionalism. The Prussian policy was strongly anti-republican, repelling liberals like Rotteck, Welcker and Gagern, whose main home was in the Centre and South, even when they were convinced that Prussian victory meant a united Fatherland. Union finally came by compromise, Prussia becoming more liberal, the ultra-liberals insisting less on ideally free institutions at once. King William and Bismarck were so late as '63 both apparently reactionary, utter foes of constitutionalism, so that liberals were 'disposed fairly to abjure Prussia as given over to a reprobate mind.'

<sup>3</sup> President of the Frankfort Constituent Assembly. He was among the ablest German constitutional monarchists of the time.

<sup>4</sup> 'It is not by speeches and resolutions of majorities that the great questions of the time are to be decided — that was the mistake of 1848-'9 — *but by blood and iron.*' — Bismarck.

<sup>5</sup> William I, king of Prussia since Jan. 2, 1861, emperor since '71. He commanded the troops which had to subdue in Baden and Rhenish Bavaria the last disorders of the revolution of 1848-'9 [§ 12].

<sup>6</sup> There was no fairness in the composition of the Bund-diet. Austria,

Prussia, Bavaria, Saxony, Hannover, Württemberg and Baden together had in the Council or abridged diet only 7 votes to the 10 controlled by the smaller states. In the *plenum* those great states had but 27, the rest 39. By underhanded higgling, wherein her ministers were adepts, Austria could always secure a majority against Prussia, if wishing to do so. When the Bund began operations again after the '48-'9 revolution it had no more loyal member than Prussia. Schwarzenberg's avowed policy, *avilir la Prusse et après la demolir*, had not then been openly avowed, so that Manteuffel could announce Prussia's as still *Verbrüderung und Bündniss mit Oesterreich*. Rochow on entering the reopened diet made a set speech, inspired from Berlin, in which he energetically supported the revival of the Bund as a hopeful advance in German public law. Even Bismarck went thither in this mind, fully trusting in Austria. In less than a year he was undeceived, seeing Austria's surreptitious influence daily used against Prussia. Poschinger, pt. i, *Einleitung*, and *Urkunde* 38. Austria had no dream that Prussia would go the bold way in which Bismarck soon led. Busch, vol. i, ch. v.

<sup>7</sup> See § 13.

## § 16 CRASH OF THE OLD BUND

*Bryce*, 493 sqq. *Müller*, Fourth Period. *Busch*, as in bibliog. *Malot*, Overthrow of the Germanic Confederation in 1866. *Treitschke*, *Zehn Jahre d. Kämpfe*. *Hosier*, Seven Weeks' War, 2 v. *Cherbuliez*, *Allemagne politique, 1866-'70*.

In 1863, defying an overwhelming public sentiment in Germany, King Christian IX of Denmark proceeded to incorporate Schleswig<sup>1</sup> with his realm, and to treat Holstein, a member of the Bund, as Denmark's vassal. Troops of the Bund first, then those of Austria and Prussia invaded the duchies to redress the injustice, and the ensuing war of 1864 left these the joint property<sup>2</sup> of the two great German powers. Austria and the Bund, determined not to enlarge Prussia, were for constituting the acquired territory a sovereign member of the Bund, under Duke Frederic of Augustenburg. To this plan Prussia would consent only on the impossible condition of herself controlling the new state's military

and naval forces and postal system. As the imbroglio waxed grave Bismarck boldly concluded to make the Schleswig-Holstein affair part of the great German question of the age and to settle both at once. Careful diplomacy assured him of France's neutrality and of Sardinia's coöperation. Prussia's invasion of Holstein, which by agreement<sup>3</sup> Austria was to administer, the diet, pushed by Austria, declares a breach of the peace and mobilizes its army, *whereupon Prussia retires forever from the old Bund*, June 14, 1866. Next day she bids Hannover, Saxony and Electoral Hesse place their troops again upon a peace footing and join a new confederacy under Prussian headship. Their refusal proved her nearest neighbors as unaware<sup>4</sup> as the rest of the world how terrible a new will-power had taken possession of Prussia. One battle brought these three states to Prussia's feet, a few more skirmishes carried her arms across the Main, to Würzburg and Nürnberg. Austria fared as ill as her petty allies, being so crippled in the great battle of Königgrätz,<sup>5</sup> July 3, as at once to begin negotiations for peace. In the Treaty of Prag, August 23, Austria recognizes the dissolution of the old Bund, consents to be excluded from a new if made, and cedes its rights in the Elbe duchies to Prussia, which now appropriates also Hannover, Electoral Hesse, Nassau and Frankfort, thus removing the wall between its two halves. Sardinia obtains Venetia, Hungary its old constitution.<sup>6</sup>

<sup>1</sup> The Schleswig-Holstein difficulty was old already. These lands observed the Salic law [Ch. VI, § 11, n. 1] though for centuries governed in a personal union with Denmark, which did not. In 1846 king Christian VIII of Denmark, last male of his line except a son and a brother both

childless, proclaimed that the union was to be permanent, Salic law to the contrary notwithstanding. This was an affront not to the duchies alone but to all Germany, Holstein being a member of the Bund, as formerly always of the empire. Hence when in 1848 king Frederic VII declared Schleswig incorporated with Denmark, Prussia and the Frankfort Constituent Assembly [instead of the then suspended diet] forcibly interposed and freed the duchies; but under Metternich's influence their protest soon came to be viewed as revolutionary, and Denmark, promising to respect their rights, i.e., not to incorporate, was confirmed in their possession by Prussia and Austria, and even by a protocol of all the great powers united, at London, May, 1852. But in 1863 king Christian IX accepted a new constitution which incorporated Schleswig with Denmark, as had been attempted in 1848. Prussia and Austria now interposed to carry out the London protocol, but the armed opposition of Denmark gave them an excuse for renouncing the protocol, so as to proceed independently, still easier in that neither the Bund nor the duchies had ever acknowledged that instrument. Denmark was very bold, vainly expecting the interposition of Great Britain and France. Dicey, Schleswig-Holstein War.

<sup>2</sup> By right of conquest as well as succeeding according to the peace of Vienna, Oct. 30, 1864, to all the rights which the king of Denmark had over the duchies, whether by the London protocol or otherwise. The difficulty was peculiarly aggravated by the claim of duke Frederic of Augustenburg to be now ruler of the duchies by hereditary right under the Salic law. Prussia as well as Austria recognized this claim on first interposing, but subsequently when planning incorporation, slighted it on the ground that it had been renounced by Frederic's father. Prussia's final arrangement with the duke involved the marriage of his daughter with the young crown-prince William, so that the heirs of Augustenburg will be kings of Prussia and emperors of Germany.

<sup>3</sup> The agreement of Gastein, Aug. 14, 1865. On Prussia's artful and none too honorable diplomacy at this time, Bryce, 424 sqq. The two powers were to remain jointly sovereign in both Schleswig and Holstein, but Prussia was to administer S., Austria H. When, June 2, the Austrian governor, v. Gablenz, convoked the Holstein estates against Prussia's wish, the latter declared it a breach of the Gastein convention, and ordered Manteuffel, governor of Schleswig, to occupy Holstein with troops. This meant war. Von Gablenz gave way under protest, and marched homeward.

<sup>4</sup> Perhaps the world was never before so surprised as by the deeds of Prussia in this war. The south German states held to Austria of course.

Austria felt so sure of victory as to decline the proffered mediation of France, England and Russia, except on the condition that no territorial changes should be discussed. Louis Napoleon hailed the war with pleasure, assured of Prussia's defeat. Hence he readily consented to the Italian-Prussian alliance. When, however, he saw the Prussian armies sweeping toward Vienna as if upon parade, he regretted the blows he had given Austria in 1859 [Magenta, Solferino] and sought to coax Victor Emanuel to put up with Austria's offer of Venetia and make peace apart from Prussia. The king of Italy remained true to Prussia. Cf. § 19, n. 1.

<sup>5</sup> Or Sadowa.

<sup>6</sup> Taken from it when the revolution of 1848-'9 was put down. The war of 1866 proved a great blessing to the Austrian lands, enforcing all manner of reforms in a liberal direction.

## § 17 BIRTH OF A NEW

*Busch*, vol. i, ch. v. *Laveleye*, *Prusse et l'Autriche depuis Sadowa*. *Véron*, *Allemagne depuis Sadowa*.

That union of Germany proper which Frederic the Great sought in vain to effect in 1785, Frederic William III in 1806, and Frederic William IV in 1850, the triumph of William I in 1866 permitted him to achieve.<sup>1</sup> Happily, as Prussia's power enabled her to enforce<sup>2</sup> union, her own enlarging liberalism, coupled with her hostility to Austria, its system and its *gross-deutsch* friends, forced her to make that union liberal, as demanded by the growing *klein-deutsche* party. The result was almost exactly what the moderates of '48 had sought, the new constitution embodying all the feasible good of theirs, with greater centralization and strength. Presidency in the Bund was made forever a property of the Prussian monarch, who was also to represent it internationally. The Prussian military system, including obligation of all males to military service, was made general, and the entire war and naval force of the Bund consolidated

and placed under the President's command. The various postal and telegraph systems were likewise to be unified, and the Bund as such to be alone represented in the Zollverein. The legislature was bicameral, a *Bundesrath* or senate representing the rulers, and a diet in numbers according to population, elected by direct, universal suffrage, to be convoked at least annually. The Rath voted *scrutin de liste*, the diet *viritim*. Consent of the former was necessary to a declaration of war, of both to the validity of an imperial law. The chancellor or imperial minister was made responsible.

<sup>1</sup> On August 18, 1866, Prussia concluded with Saxe-Weimar, Oldenburg, Brunswick, Saxe-Altenburg, Saxe-Coburg-Gotha, Anhalt, Schwarzburg-Sondershausen, Schwarzburg-Rudolstadt, Waldeck, Reuss younger line, Schaumburg-Lippe, Lübeck, Bremen and Hamburg, a treaty of alliance, to which Mecklenburg-Schwerin and -Strelitz acceded on the 21st, and a little later, Saxony, Saxe-Meiningen, Reuss older line, and Hesse for its parts north of the Main, providing for the calling of a convention-parliament to prepare a constitution. The convention, elected substantially in the same way as the Frankfort Constituent of '49, assembled at Berlin, February 24, 1867. The allied governments submitted a draft, which the convention altered at forty-one points. The governments accepted the changes, and on April 17, 1867, the new constitution was declared adopted. It went into effect the next July 1. The Bund embraced the 21 states north of the Main, or 22 counting the grand-duchy of Hesse, which held thereto an ambiguous relation, partly within and partly without, exactly as had many a land to the old empire and to the old Bund.

<sup>2</sup> So early as 1861 v. Sybel, in pref. to *Die deutsche Nation u. d. Kaiserreich*, had declared: 'As certainly as rivers run to the sea, there will be formed in Germany, by the side of Austria, a limited federation under the direction of Prussia. To secure it recourse will be had to all the means of persuasion and diplomacy, but to war in case of resistance.'

## § 18 FROM BUND TO EMPIRE

Müller, § 26. Friedländer, in *Deutsche Rundschau*, vol. iii. Bryce, 430 sqq. Véron, as at § 17. Martin, *Verfassung u. Grundgesetze d. deutschen Reichs*.

To the surprise of many, yet wisely, Bavaria, Württemberg, Baden and Hesse<sup>1</sup> were not forced into the new confederation. Their membership at first could have been only involuntary, and would have rendered strong centralization impossible. Article 79 of the constitution opened to them a door, but entrance depended upon their own option. In each a strong national-liberal party wished union with the North, but was opposed by the ultra-liberals and the clericals, the last especially in Bavaria, a catholic land, dreading Prussia religiously,<sup>2</sup> while the democrats throughout the South declaimed against Prussia's military government and greed of territory, and made the most of every sign that her liberal professions were hypocritical. Strict particularists were few, most opponents of union advocating a South German Bund, some with, some without a French protectorate, the *gross-deutsche* or Austrian party seeing as yet no hope on account of the Peace of Prag.<sup>3</sup> The treaties<sup>4</sup> of offence and defence with the Bund, by which in case of war the troops of each southern state were to be placed under command of the king of Prussia, Bavaria and Württemberg assented to only under pressure. The new Zollverein,<sup>5</sup> and the reorganization of the southern armies on the Prussian model had both to be carried through against like pronounced hostility. Napoleon's excuseless declaration of war in 1870 was thus a God-send for German unity, revealing that monarch's selfish-

ness both directly and by occasioning the publication of his designs of German conquest in 1866. South Germany entered the war no less heartily than the Bund,<sup>6</sup> and their common sufferings and glory therein made a more perfect union presently a matter of course. Baden and Hesse, the most inclined thereto all along, joined the Bund November 15, 1870, Bavaria the 23d, Württemberg the 25th. The name 'Bund' was changed to 'Reich' and 'President' to 'Kaiser,' December 10, and proclamation made accordingly January 18, 1871. The constitution of the Bund, revised in terminology to suit these changes, became the constitution<sup>7</sup> of the new German Empire.

<sup>1</sup> I.e., the portion of Germany proper south of the Main.

<sup>2</sup> England and America little knew to what an extent the wars of 1866 and 1870 involved religious interests. Rome and the Jesuits thought of Sadowa as a triumph of heretics. 'The world is coming to an end,' exclaimed cardinal Antonelli on hearing the news. Catholic opposition in south Germany did more than anything else to retard German union.

<sup>3</sup> Which excluded Austria from all participation in the reconstruction of Germany [§ 16].

<sup>4</sup> These were kept secret for the time, and Louis Napoleon rested in the pleasant expectation of another Rhein-Bund so soon as he might please to go to war with Prussia.

<sup>5</sup> The legislature of this was to consist of the north German *Bundesrath*, enlarged *pro hoc* by delegates from the southern states. This was a fine *schema* for the Reichstag soon to be, accustoming public men from the south to visit Berlin and do state business with northerners. The revived Zollverein did little work however, as the feudalists and *Fortschrittlers* who legislated for it on the Bund's behalf nearly always sided with the southern obstructionists against the national-liberals.

<sup>6</sup> 'Seldom had such a national rising been seen — so swift, so universal, so enthusiastic, sweeping away in a moment the heart-burnings of liberals and feudals in Prussia, the jealousies of north and south Germans, of protestants and catholics. Every citizen, every soldier, felt that this struggle was a struggle for the greatness and freedom of the nation; and the un-

broken career of victory which carried the German arms over the east and centre of France, and placed them at last triumphant in the capital of their foes, proved, in the truest sense, what strength there is in a righteous cause.'—Bryce.

<sup>7</sup> It thus appears that 1871 was really one of the least significant years in this long evolution. The war of 1866 and Napoleon's declaration of war in '70 were the crucial turning-points.

### § 19 DE BELLO GALlico

*Gramont, France et Prusse avant la guerre. Junch, Deutsch.-franz. Krieg, 1870-'1. Treitschke, Zehn Jahre d. Kämpfe. Véron, as at § 17. Rüstow, The W. for the Rhine Frontier, 3 v. Benedetti, Ma Mission en Prusse.*

Napoleon's audacity at home and showy deeds in the Crimean and Italian wars made him at once the hero, arbiter and dread of Europe. He burned to equal his uncle, avenge Waterloo and extend France permanently to the Rhine. Blind to the rise of Prussia in military organization and resources, he did not hesitate in '59 to weaken<sup>1</sup> Austria, her natural foe, or to aid in erecting the kingdom of Italy, her natural ally. He gladly consented to Prussia's plans in '66, expecting a war which would cripple both contestants and open way for the triumph of his ambitions. Piqued at failure to secure Bismarck's promise of reward for his abstention, he began courting Austria and planning Prussia's defeat, and the latter's overwhelming victory, revealing that France had a dangerous rival in arms, he a master at diplomacy, filled him with rage and alarm. Fight at once<sup>2</sup> he dared not, so unprepared had the Mexican campaign left France, but he was convinced that naught but a victorious war would restore his waning prestige. Jesuits, all Roman catholics,<sup>3</sup> ambitious military men prodded him to arms, as did his decreasing popularity in France, and the ecu-

menical disgrace of his procedure in Mexico. In keeping with these selfish motives for the war of 1870, was the manner of provoking it, purely wanton,<sup>4</sup> alienating the world's sympathy, and exhibiting Prussia as an injured party redressing its wrong. The result, so far as related to the emperor,<sup>5</sup> all felt to be poetic justice. First blood drawn August 2, the 18th sees Bazaine locked in Metz with 175,000 men, September 2, Napoleon himself a prisoner with 110,000 more. The Second Republic is proclaimed September 4, and Paris surrenders January 28, 1871, more than half France meantime scoured by German armies. Instead of carrying France to the Rhine the war made Elsass and Lothringen German again,<sup>6</sup> and compelled the offending nation to pay within three years a r indemnity of five milliards of francs.

<sup>1</sup> Never did the head of a state commit more blunders in the same length of time. Certainly none in modern times has displayed more perfidy. From his point of view he should have averted rather than helped Austria's misfortune in '59, allied himself with that power in '66, and avoided meddling in Mexican affairs altogether. He was Bismarck's dupe from beginning to end. It seems indeed to have been his fussy obstruction which led in '66 to the fixing of the Main as southern boundary to the Bund, but this proved a blessing to Prussia and Germany, not to France, his hope still to keep Germany divided and subject to French arbitrament failing utterly. In '51 as well as in '59 Napoleon had invited Prussia to a French alliance, with gracious permission, on compliance, to annex and reorganize in Germany as she might list. Cf. § 16, n. 4.

<sup>2</sup> Immediately after Sadowa, in Aug., '66, Napoleon demanded Prussia's consent to his acquisition of Rhenish Bavaria and Hesse, including the fortress of Mainz, and the renunciation by Prussia of right to garrison the fortress of Luxemburg, threatening war in case of refusal. Benedetti having presented these demands, Bismarck exclaimed: 'Good: then it is war.' The emperor had to recede, trumping up the excuse that the threat of war had been wrung from him when ill. Müller, 357.

<sup>8</sup> Foremost of all, the empress Eugenie, a bigoted devotee, wholly subservient to the Jesuits. 'This is my war,' she said, the fatal evening when the declaration was resolved upon, 'with God's help we will subdue the protestant Prussians.'

<sup>4</sup> Queen Isabella having abdicated, June 25, 1870, the Spanish ministry proposed prince Leopold of Hohenzollern for king of Spain. Although Leopold was a distant relative of king William, the latter had had nothing to do with the choice. Yet Napoleon demanded that he should forbid Leopold's acceptance. William refused. As, however, his relative declined the throne without the demanded intervention from Berlin, the whole world supposed the question settled, when, to the amazement of all, Napoleon required William to agree that no Hohenzollern should ever with his consent acquire the Spanish crown. Refusal was a foregone conclusion, and when war was declared no efforts that Napoleon could make could conceal the utter frivolousness and shabbiness of the pretext.

<sup>5</sup> After the fall of the empire, as its opponents had not wished the war, they appealed to the Prussians for its cessation. Bismarck's reply was that it had been declared with the approval of a unanimous French senate and by a vote of 245 against 10 in the chamber, that hence nation and not emperor alone must bear the consequences. This was good international law but in fact unjust. Majority votes under the empire were often very far from expressing the real national will.

<sup>6</sup> v. Sybel, *Deutschland's Rechte auf Elsass-Lothringen*, in *Kl. hist. Schriften*, vol. iii. On the earlier relation of these territories to Germany, Weber, II, 78 sqq., *ante*, Chaps. IX, § 19, n. 7, X, § 3, n. 1.

## § 20 NEW GERMANY AND NEW EUROPE

Karl Blind, 'Radical and Revolutionary Parties in Europe,' *Contemp. Rev.*, Oct., 1882. Müller, *Gesch. d. Politik*, 1871-'81. Peÿ, *Allemagne d'aujourd'hui*. Tuttle, German Political Leaders. Hillebrand, *La Prusse Contemporaine*. Baring-Gould, *as at* § 12.

The rise of Prussia will prove to have been one of the most momentous changes in the entire history of civilization. It placed the headship of Continental Europe for the first time in protestant and purely Teutonic hands, reducing Austria, Rome's stoutest ally, to the second rank of governments. The change brought

about in France rendered that state unwilling as well as unable longer to champion the church, while greatly strengthening it as a liberal force by displaying the weakness of imperialism and at once bracing and sobering republican purposes. Advanced church laws were passed in Switzerland, free thought took courage even in Austria. Italian unity was completed, Victor Emanuel defying papal anathemas and fearlessly moving on Rome so soon as its French guards were needed at home. More remarkable are and are to be the results in Germany itself, where already begin to appear those subtle but choice developments of civilization which only grand statehood can call forth. With all the helpful possibilities of the old empire the new joins the eminent advantages of being (1) purely German, (2) powerfully centralized, and (3) solely political, free from all ecclesiastical alliance. Thrilled with great life Germany proceeds to outgrow the Fatherland, fretting Ocean with her merchantmen, planting colonies beyond. Germany with her unmatched prestige, Germany so learned and strong, so peaceable if permitted to be, so terrible if provoked, Germany possessing resources so vast and varied, developed and undeveloped, wheels into column with Great Britain and the United States to forward the irresistible march of Teutonic civilization round the globe.

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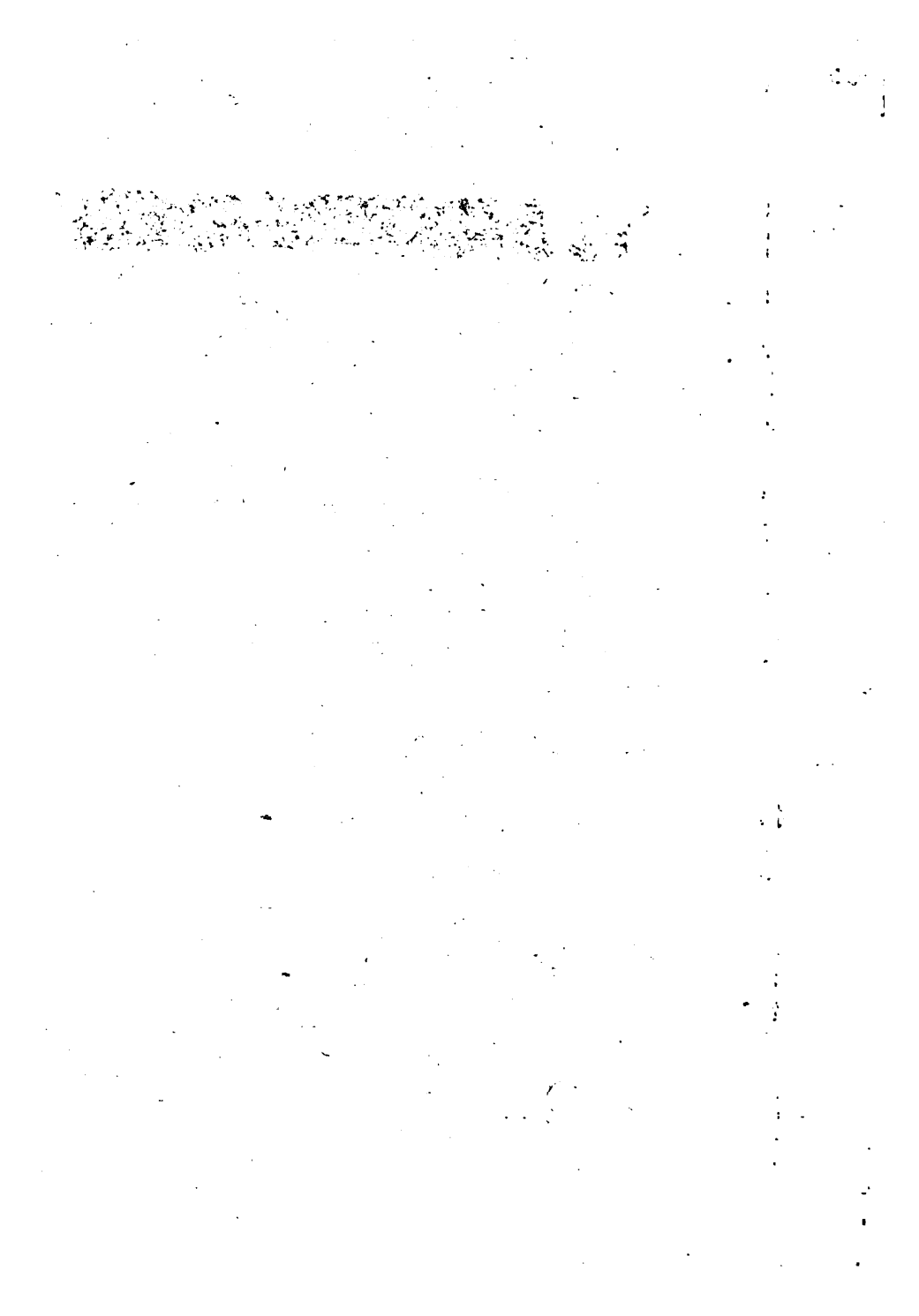
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